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THE LOUISIANA HISTORICAL QUARTERLY

Vol. 27, No. 4 OCTOBER, 1944

The Development of New Orleans as a Wholesale Trading Center, by Harry A. Mitchell.

The History of the Louisiana State Lottery Company, by Berthold C. Alwes.

The History of Crowley, Louisiana, by Velma Lea Hair.

A Rare Confederate Louisiana State Document and Its History.

Book Review.

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TABLE OF CONTENTS

Vol. 27, No. 4 October, 1944

PAGE

The Development of New Orleans as a Wholesale Center, *by Harry A. Mitchell*..... 933

The History of the Louisiana State Lottery Company, *by Berthold C. Alwes*..... 964

The History of Crowley, Louisiana, *by Velma Lea Hair*..... 1119

A Rare Confederate Louisiana State Document and Its History, *by James A. McMillen*..... 1226

Book Review, *by Walter Prichard*..... 1229

THE LOUISIANA
HISTORICAL QUARTERLY

Vol. 27, No. 4 October, 1944

THE DEVELOPMENT OF NEW ORLEANS AS A WHOLESALE TRADING CENTER

By HARRY A. MITCHELL

TRADE BEGINS UNDER GOVERNMENT CONTROL

The wholesale trade of New Orleans had its origin in the shipping which developed with the growth of the city. Much of the early trade, while not referred to as wholesale, consisted of the type of transactions which today we would place in such a category. Interpreted in the light of the broad definition of wholesaling used by the United States Bureau of the Census,[1] the city clearly was one of the early wholesale trading centers of the country. Judged in terms of the narrower and more familiar concept of such trade adopted here, New Orleans lagged behind Eastern cities somewhat, but has been an important wholesale center. In tracing the development of the city's wholesale trade, it becomes necessary to note not only the degree of utilization of the wholesaler but also the institutional character that he assumes under varying conditions.

Founded by the French in 1718, New Orleans had its early history shaped largely by the mercantilistic doctrines so evident in the European colonial policies of the sixteenth and seventeenth centuries. As was true of Great Britain and Holland, early colonization for France was carried on by private companies.[2] New Orleans had its beginning during the control of Louisiana by one of these companies, the Western Company, under the presidency of the celebrated John Law. While this colonial venture was not a profitable one for the Company, it did provide the

[1] *Sixteenth Census of the United States: 1940, Census of Business: 1939*, Vol. II, *Wholesale Trade*, p. 1.

[2] Harold U. Faulkner, *American Economic History* (New York: Harper and Brothers, 1924), 46.

French with an increasing geographical knowledge of the Mississippi Valley and thus laid a foundation for the trade territory that looked to New Orleans as its trade center.

Trade in the newly founded city appears to have been monopolized by the Western Company, as it issued a proclamation in 1720 specifying that colonists might obtain merchandise and provisions from the Company's stores at Mobile, Pensacola, or Dauphine Island. Merchandise also was available at the following points upon payment of the respective premiums—New Orleans, 5%; Natchez, 10%; Yazoo, 13%; Missouri and Illinois, 50%. The colonists were required to send their products to New Orleans, Ship Island, or Mobile, where the Company agreed to purchase them at specified prices.[3] In 1721, another proclamation specified that merchandise sold at New Orleans, Mobile, and Biloxi by the Company was to be sold at a 50% profit on the original cost in France.[4]

A general merchandise store was established in the city by the governor in 1726. The manager was paid a commission of six deniers per livre on all sales.[5] By 1729, the city had stores that no longer were under government control. Little is known of their methods other than that they charged very high prices.[6] A summary statement of sales made in 1736-1737 in merchant Rasteau's store reveals that a great variety of goods was sold.[7]

By 1732, when the Western Company surrendered its charter, a limited trade had been developed in rice, indigo, tobacco, furs, and lumber. The business history of the city for the next twenty-five years was largely one of a gradually increasing trade volume. Fur was the great money product of the Upper Mississippi and its tributaries, and much of it moved down the river on its way to European markets. The firm of Maxent, Laclede and Company of New Orleans was given exclusive right to the fur rade with "the savages of the Missouri."[8] The volume of this trade flowing from St. Louis to New Orleans was estimated at 80,000 pounds

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[3] Charles Gayarré, "Historical Notes on the Commerce and Agriculture of Louisiana, 1720-1766," in *Louisiana Historical Quarterly*, II (1919), 286.

[4] *Ibid.*

[5] N. M. Miller Surrey, *The Commerce of Louisiana During the French Regime, 1699-1763* [*Studies in History, Economics, and Public Law*, LXXI, No. 1] (New York: Columbia University Press, 1916), 278, quoting Archives Nationales, Colonies, Paris, Serie C13, Vol. XLIII, fol. 122.

[6] *Ibid.*, 218.

[7] "Digest of the Records of the Superior Council of Louisiana, October 2, 1736 to October 2, 1737," Document 37.129, in *Louisiana Historical Quarterly*, V (1922), 414.

[8] Harold Sinclair, *The Port of New Orleans* (Garden City, N.Y.: Doubleday, Doran and Company, 1942), 50.

sterling annually.[9] Since New Orleans was the transfer point for this and succeeding products, the city became the leading trade center of the Mississippi Valley.

As a result of the armed conflict that grew out of the rivalry of Old World empires, Louisiana was ceded to Spain in 1762, under whose domination it remained until 1800, when, through secret diplomacy, it was retroceded to France.[10] The primary economic significance of the Spanish control, with reference to New Orleans, lay in the unfortunate restrictive policy pursued in regard to trade. Under Ulloa, in 1766, trade was confined to Spanish-built and manned vessels, and to six ports only of Spain.[11]

Furthermore, vessels engaged in Louisiana trade were not allowed to touch at any other Spanish colony in America. New Orleans merchants complained, as Spain constituted neither a good market for their products nor a good source for purchases.[12] As a minor concession, two vessels per year were permitted to come to Louisiana from France. Increasing needs and colonial production later resulted in further easing of the monopolistic policy. Most of the colony's import and export business was done with France, as had been true preceding the transfer of the province from France to Spain. New Orleans merchants, chiefly agents of French houses in Bordeaux, Havre, and Rouen, were hesitant to invest capital in the city because of the insecurity of their trading privileges.[13]

While Spanish regulations unquestionably hampered the development of wholesale and retail business establishments in Louisiana, part of the slow growth was due to insufficient business initiative on the part of the local population. Too large a proportion of earnings was consumed in the purchase of luxuries instead of being reinvested in business. Intendant Navarro has been quoted as reporting in 1788 that approximately one-third of the total imports of Louisiana consisted of wines and liquors, another third consisted of manufactured goods that came primarily from France, and the remainder consisted of flour that originated chiefly in Philadelphia.[14]

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[9] *Ibid.*

[10] Henry Rightor, ed., *Standard History of New Orleans* (Chicago: Lewis Publishing Company, 1900), 85.

[11] Francois X. Martin, *The History of Louisiana* (New Orleans: James A. Gresham, 1882), 216.

[12] *Ibid.*, 216-217.

[13] Arthur P. Whitaker, *The Mississippi Question, 1795-1803* (New York: D. Appleton-Century Company, 1934), 80.

[14] *Ibid.*, 81.

Largely because of Spain's commercial policy, a considerable contraband trade developed with the British traders, who established large warehouses at Baton Rouge and other nearby points, and even plied two floating warehouses along the river banks near New Orleans.[15] How well the English succeeded in developing trade in this area under the O'Reilly Spanish administration is evident from the fact that money and products, valued together at approximately $700,000 annually, were paid to British traders for imported goods.[16]

WHOLESALING BEFORE 1812

While records do not reveal to what degree importers, wholesalers, and retailers of the colonial period, or more likely combinations of these middlemen, participated in the trade, respectively, mention is made of wholesale trade. Fragmentary evidence suggests the existence of wholesalers in New Orleans before the close of the War of 1812, the date mentioned by some authorities as the time of the opening of the first wholesale house in the United States operating on a strictly wholesale basis.[17] Mention is made in a census of New Orleans, taken in 1727 by the French, of one resident being a *negociant* by occupation.[18] Authorities differ as to the meaning of this word, and the context of the tabular presentation offers no clue as to whether he was a retailer or whether he was a wholesale merchant, as the term is sometimes translated. The functions and operations of merchants in this country were rather uncertain in scope during the eighteenth century. Since the Western Company had a monopoly on the colony's trade and operated warehouses in New Orleans, it seems more likely that this *negociant* was a retail merchant or a commission merchant for French business houses.

In 1769, during the period of Spanish ownership of the colony, the Cabildo, the local legislative body, issued regulations during a period of food shortage which prohibited retailers *(revendedores)* from purchasing provisions and supplies in large units in order to resell, presumably in smaller amounts.[19] Since this regulation prohibited buying in large quantities, *comprar*

[15] Martin, *op. cit.*, 217.
[16] *Ibid.*
[17] Theodore N. Beckman and Nathanael H. Engle, *Wholesaling Principles and Practice* (New York: Ronald Press, 1937), 67.
[18] "Louisiane Recensements, 1706-1741," in Louisiana State Museum Library, New Orleans, p. 231.
[19] "Records and Deliberations of the Cabildo," December 9, 1769, No. 1, Documents 4-B and 5-A, City Archives, New Orleans.

por junto,[20] it virtually prohibited wholesaling in that field. That transactions of a wholesale nature were taking place at this time is implied in a somewhat similar regulation of the Cabildo, in 1770, that prohibited retailers from buying up provisions and disposing of these products as a unit before a specified hour.[21] They were required to sell small quantities up to noon and were prohibited from selling the quantity as a whole before that hour. Thereafter, the quantity restriction was removed. Ship captains also were subject to the regulation of not selling their cargo as a unit until after the public had had fifteen days in which to buy it in small lots.[22]

Examination of the records of the City Council of New Orleans, the Cabildo, reveal that in 1799 at least seventeen of the city's merchants sold flour to various parties. The amounts of the individual transactions ranged from a few barrels to one hundred and fifty, thereby suggesting that sales of the latter amount were made to retailers or industrial buyers rather than to consumers.[23] Most purchases of imported goods by New Orleans merchants, preceding 1770, were on a consignment basis. Court records provide information on various suits involving an accounting for merchandise sold on consignment.[24] One of these sources provides an illustration, however, of an implied outright sale of goods to a New Orleans merchant, Antoine Morin.[25] He is sued for collection but pleads deferment because he has not been able to collect from those to whom he granted credit. Following, first, the use of a government warehouse and, next, sale to merchants on consignment, there now appears an implied outright sale to a wholesaler or retailer.

INTERIOR TRADING AREA DEVELOPS

Increasingly responsible for the growth of the volume of trade of New Orleans were the exploration and trade development of the Mississippi River Valley. By 1770, the value of ex-

[20] The Spanish *"comprar por junto"* has been translated "to buy as a whole."

[21] "Records and Deliberations of the Cabildo," October 5, 1770, No. 1, Document 20-B, City Archives, New Orleans.

[22] *Ibid.*, April 27, 1781, No. 2, Documents 30 and 30-A, City Archives, New Orleans.

[23] "Records of the (New Orleans) City Council, 1792-1799." Book No. 4079, pp. 393-401, Louisiana State Museum Library, New Orleans. Merchants named in this record include: Clark and Relf, Evan Jones, Shepherd Brown, Cochran and Rhea, Lanthois and Pitot, Debuys and Remey, Wikoff Toven, Nathaniel Bassett, A. Brookes, King and Collins, Zahn, Jourdan, Landreau, Sala, Guiens, Morton and Griffony.

[24] "Records of the Superior Council of Louisiana," Document 65-A-79 (September 30, 1765), Document 66-A-142 (December 6, 1766), Document 66-A-144 (December 6, 1766), Louisiana State Museum Library, New Orleans; *Louisiana Historical Quarterly*, V (1922), 397.

[25] "Records of the Superior Council of Louisiana," Document D68.109 (May 25, 1768), Louisiana State Museum Library, New Orleans.

ports was $631,000 per year.[26] A little later, in 1788, Kentucky and Tennessee alone were shipping produce valued at $225,000 per year down the Mississippi. The Valley was not self-supporting, however, and as the territory developed the demand increased for needed manufactured goods. Contrary to law, but winked at from corruption, considerable trade with Philadelphia sprang up by 1787 to supply this new market.[27] Within the next twenty years a relatively large number of future business leaders of New Orleans immigrated there from Philadelphia. One of the first of these, Daniel Clark, who came to New Orleans in 1786 to become a merchant, established numerous business connections with the Upper Ohio Valley.[28] The outstanding local trader and merchant of this period was Oliver Pollock, who moved to New Orleans in 1768 and who became best known for actively supporting the American Revolution from Spanish soil.[29] Interested as he was in both shipping and domestic trade, the activities of his agents considerably increased the scope of the city's hinterland. As he said: "For twelve years before the Revolution, I was supplied with dry goods from London, negroes from Africa, and flour from Philadelphia to the Mississippi River."[30]

With the growth of the fur trade, which was the predominant industry, village merchants, either as private ventures or as agents of New Orleans and Canadian merchants, opened stores to furnish the necessary supplies. It is said that in 1763, dry goods valued at 400,000 pounds sterling were imported at New Orleans for the city and its trade territory.[31] Modification by the Spanish of their restrictive trade policy was an important step in the commercial development of the city. A provision in the Treaty of 1795 between Spain and the United States conferred upon Americans the right to deposit their merchandise at New Orleans and export it free from duty.[32] The volume and character of the city's trade obviously depended chiefly upon the exports and imports which flowed through it. The principal exports at the close of the eighteenth century were indigo, sugar, rice, lumber, and furs.[33] Imports, primarily from England and France,

[26] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 180.
[27] *DeBow's Review*, XXIV (1858), 219.
[28] *Dictionary of American Biography* (20 vols., New York: Charles Scribner's Sons. 1928-1936), IV, 25.
[29] James A. James, *Oliver Pollock: The Life and Times of An Unknown Patriot* (New York: D. Appleton-Century Company, 1937), 4.
[30] *Dictionary of American Biography*, XV, 50, quoting *Calendar of Virginia State Papers* (1885), V, 251.
[31] James, *op. cit.*, 31.
[32] Martin, *op. cit.*, 267.
[33] *American State Papers, Miscellaneous* (Washington: Gales and Seaton, 1834), I, 354.

included linens, silks and fine cloths, liquors, jewelry, hardware, and a wide range of other manufactured goods.[34]

Shipments up the Mississippi at this time were not recorded, but they were small compared with the trade moving downstream. In the immediate vicinity of New Orleans, the imports approximately equaled the exports of the Spanish possessions. Less than 10% of the imports went above the Red River.[35] A general indication of the importance of New Orleans as the trading center for upstream Natchez is provided by the amount of customs tax which the latter city paid on goods imported from New Orleans. In 1801, these duties aggregated $16,000 and the following year rose to $25,000. The trade which they reflect is significant because Natchez at that time marked the northernmost limit of New Orleans trade on a commercial scale.[36] St. Louis and the American settlements on the Ohio, Cumberland, and Tennessee rivers provided a market for New Orleans merchants, but these definitely were smaller markets.

RIVER TRANSPORTATION DEVELOPS THE TRADING AREA

As the population of the Upper Mississippi Valley increased and more goods were shipped down the river, New Orleans' position as a port made it a "natural" trade center for the Mississippi Valley. The importance of the various regions with respect to the value of their downriver trade flowing into New Orleans is shown in Table I.

TABLE I[37]

Value of Downriver Shipments Into New Orleans

SOURCE	1801	1802
American Territories:—		
Pennsylvania and territory northwest of Ohio	$ 485,000	$ 700,000
Kentucky, Tennessee, and Mississippi	1,626,672	1,522,064
Mississippi Territory	.....	412,500
Spanish Possessions:—		
Upper Louisiana	115,000	120,000
Lower Louisiana	1,422,650	1,720,800
Total	$3,649,322	$4,475,364

[34] Herbert I. Priestley, *The Coming of the White Man* (New York: Macmillan Company, 1929), 270.
[35] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 183.
[36] Whitaker, *op. cit.*, 146.
[37] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 183.

The extent of the New Orleans trading area varied by types of commodities, as is true today. Cost of transportation was an important factor in determining its limits. When barges were built as an improvement over previous river craft, they reduced freight charges from New Orleans to Cincinnati as much as five to ten dollars per hundred pounds and resulted in New Orleans, instead of Philadelphia and Baltimore, being the source of groceries for the Lower Ohio Valley. The relatively light weight of groceries made them a desirable return cargo for the barges.[38]

In an effort to improve transportation routes between New Orleans and the North, the Federal Government built several roads. Michaux, in 1802, describing the road from New Orleans to Natchez as merely a path, commented upon the government's plan to improve that route.[39] In 1817, the United States Army began the construction of a military road that was 392 miles long from Madisonvile, Louisiana, to a point in Tennessee twenty-one miles north of the Tennessee River.[40] A more easterly road from New Orleans to Washington also was built, but transportation necessarily remained slow until the steamboat came into use a few years later. None of the highways in the South carried traffic comparable to that of the National Road from Cumberland to Wheeling and on into Ohio.

With natural geographic advantages and with population in the Mississippi Valley increasing rapidly, New Orleans was very optimistic as to its future. This buoyance was increased and merchants' reasoning influenced for years by the following prophecy of President Jefferson:

> New Orleans will be forever, as it is now, the mighty mart of the merchandise brought from more than a thousand rivers, unless prevented by some accident in human affairs. This rapidly increasing city will, in no distant time, leave the emporia of the Eastern World far behind. With Boston, Baltimore, New York, and Philadelphia on the left; Mexico on the right; Havana in front, and the immense valley of the Mississippi in the rear, no such position for the accumulation and perpetuity of wealth and power ever existed.[41]

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[38] William F. Gephart, *Transportation and Industrial Development in the Middle West* [*Studies in History, Economics, and Public Law*, XXXIV, No. 1] (New York: Columbia University Press, 1929), 64.

[39] Francois A. Michaux, *Travels to the Westward of the Alleghany Mountains, 1802* (translated by B. Lambert, London, 1805), reprinted in Reuben G. Thwaites, ed., *Early Western Travels* (32 vols., Cleveland: Arthur H. Clark Company, 1904-1907), III, 251.

[40] *American State Papers, Miscellaneous*, II, 468.

[41] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 185.

Development of the steamboat gave New Orleans a period of great but temporary prosperity, especially between 1820 and 1850. It gave the city hope of achieving a stronger hold on the trade of the Mississippi Valley. The effect, however, upon the trading area reached was not so much one of increased geographical scope as one of more intensive coverage of territory that already considered the city its trading center. An increased volume of products now was transported down the Mississippi; also freight could be moved up the river more easily, but these shipments never exceeded one-half the volume that came downstream. Aside from the shipment of some heavy machinery and such bulky products as coffee and sugar, most of the upstream shipments were made to Louisiana and Mississippi plantations, either directly or through middlemen.[42]

Rapid increase in steamboat traffic in the Ohio River Valley seemed to open new opportunities for New Orleans. However, such conditions as the growth of cities west of the Alleghenies, poor inland waterways in that region, and expensive land transportation kept New Orleans from securing a large sales volume in the Ohio area. The greater capital of the Eastern merchants also was a negative force in its influence upon the extension of New Orleans trade; Philadelphia and Baltimore business houses were granting twelve months' credit to many of the interior retailers.[43]

TRIANGULAR TRADE

The increasing volume of both produce and manufactured goods coming into New Orleans increased the number of individuals engaged in the marketing of these products. During the earlier period most of the products of the Upper Mississippi Valley were purchased or bartered for in their home territory by agents of New Orleans merchants. Now, however, with the increased use of flatboats and similar craft a larger proportion of shipments came down the river to be sold upon arrival.

The term "mercantile class" was interpreted rather broadly in the early part of the nineteenth century and, consequently, it is rather difficult to ascertain the specific functions which each business firm performed. Vincent Nolte, engaged in some bank-

[42] T. W. Van Metre, "Internal Commerce of the United States," in Emory R. Johnson, T. W. Van Metre, G. G. Huebner, and D. S. Hanchett, *History of Foreign and Domestic Commerce of the United States* (2 vols., Washington: The Carnegie Institution, 1915), I, 213.

[43] Michaux, *loc. cit.*, III, 203.

ing and importing, but more particularly in buying cotton for European firms in New Orleans during that period, stated that in 1806 the New Orleans mercantile class consisted of four or five French establishments, three Scotch countinghouses, one German countinghouse, and eight or ten commission houses that had been opened by Americans who moved to New Orleans from New York, Philadelphia, and Baltimore.[44]

Consignment of goods to New Orleans agents was a common marketing method. A Kentucky manufacturer producing yarn, baling rope, plow lines, and twine utilized this distribution method in 1805,[45] as did Joseph Herzog, manufacturer of soap and candles in St. Louis, shortly before the War of 1812.[46] Bagging shipped to New Orleans in 1816 also was consigned to an agent.[47]

One of the leading problems facing the New Orleans merchant operating in a wholesale capacity was the difficulty of transporting goods upstream into a territory that looked to New Orleans as its trade center. River transportation, previous to 1812, was too slow and costly. Barges and flatboats that made only one-way trips were the chief types of craft used. Keelboats required thirty to forty days to descend from Louisville to New Orleans and about ninety days to ascend.[48] Because of the difficulty of transporting other goods back home, most shippers from the Upper Mississippi Valley, or their bargemen, sold the produce for cash in New Orleans and returned, either by taking a ship to Philadelphia and crossing the Alleghenies, or by crossing the wilderness from Natchez to Nashville and proceeding on northward across the Cumberland Mountains. In either event, most of the manufactured goods which they required were purchased from Eastern cities and laboriously brought across the Alleghenies. A keen rivalry, later sharpened, thus developed between New Orleans and New York, Philadelphia, and Baltimore for dominance in the great undeveloped hinterland.

The existence of two-way trade between Pittsburgh and New Orleans, in 1802, even though small in amount, is an indication of the extent to which the latter city's trade penetrated the interior country. Pittsburgh merchants shipped corn and pork

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[44] Vincent Nolte, *Fifty Years in Both Hemispheres* (New York: Redfield, 1854), 86.
[45] Victor S. Clark, *History of Manufactures in the United States* (3 vols., New York: McGraw-Hill Book Company, 1929), I, 342.
[46] *Ibid.*, I, 344.
[47] *Ibid.*, I, 346.
[48] Frederick J. Turner, *Rise of the New West* (Vol. XIV of A. B. Hart, ed., *The American Nation: A History*, 28 vols., New York: Harper and Brothers, 1904-1918), 103.

products for re-exportation, and bar iron, coarse linens, bottles, whiskey, and salt butter for Louisiana consumption. Some of these merchants were partners in Philadelphia business houses, or were factors representing them. They operated through brokers at New Orleans, who sold goods for them, either for cash or in exchange for cotton, indigo, or raw sugar which would be shipped to Philadelphia or Baltimore. In this triangular trade, the raw materials from Louisiana were sold in the latter cities, and manufactured goods, in turn, transported from there to Pittsburgh and the Upper Ohio Valley.[49] Although this marketing plan was used successfully in disposing of products of the Ohio Valley, trade relationships with New Orleans were of too recent origin to result in uniform marketing channels. In the absence of an organized market, some New Orleans merchants adapted their activities to the needs of the new trade. They became commission merchants, selling for their clients at the market price, and charging a commission of 2½% for sales, both to the local and export buyers.[50] Eastern interest in the growing New Orleans trade is further reflected in the amount of coastwise trade with New Orleans. Of seventy-four American ships leaving that port for other United States ports in 1802, and carrying chiefly Louisiana cargo, thirty-nine cleared for New York, seventeen for Philadelphia, and thirteen for Baltimore.[51]

The first city directory published for New Orleans revealed that in 1822 there were 260 mercantile establishments operated by wholesale grocery and dry goods merchants carrying on an extensive trade in produce and merchandise, and seven auctioneers "who do great business." Mentioned separately, although the indicated distribution by kinds of business suggests duplication, were 102 retail dry goods stores, 350 taverns and groceries that "sell by the small," 78 groceries that "sell by larger measure," 24 drug stores, and 21 hardware and ship chandlery stores.[52] The wholesale house as a distinct type of business institution was beginning to function more freely in New Orleans. Between 1820 and 1840 considerable trade in English fabric and wares was developed with Mexico through foreign resident merchants.[53] Nearer home and larger in the aggregate, wholesale business

[49] Michaux, *loc. cit.*, III, 158-159.
[50] Whitaker, *op. cit.*, 143.
[51] *Ibid.*, 153.
[52] John A. Paxton, *The New Orleans Directory and Register* (New Orleans: John Adams Paxton, 1822), 18.
[53] *Biographical and Historical Memoirs of Louisiana* (2 vols., Chicago: Goodspeed Publishing Company, 1892), I, 184.

sprang up with merchants in Texas, Arkansas, Mississippi, Alabama, Tennessee, and Louisiana. An important factor in stimulating this trade was the extension of long-term credit, a service already offered by Eastern wholesalers.

The potential market of most New Orleans wholesalers appeared to be a large one as immigrants moved into the Mississippi Valley and states west of it in large numbers. The population of the region comprising Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee, and Kentucky increased more than 40% during each decade between 1830 and 1850, and increased 34% between 1850 and 1860. Changes somewhat hidden by the prosperity enjoyed by the city were taking place, however, in the trading relationship between New Orleans and the segments of this market. As had been true in the past, the city prospered largely because of the produce and other goods that came down the Mississippi and were transhipped for export. The value of the produce received at New Orleans from the interior increased from $22,065,518 in 1830 to $185,211,254 in 1860.[54] In the latter year, 60% of the value of the commodities received was attributable to cotton. New Orleans was leaning more and more heavily upon one product. Receipts of provisions and merchandise from the interior continued to increase in the aggregate but declined relatively to cotton.

The city was by nature of its geographical location a distribution point, but it also was the primary export outlet for the produce of the Mississippi Valley. Produce could be shipped downstream to the city, even in crude river craft, but the difficulty of shipping goods upstream placed a very definite limitation upon the city's sales in the Upper Mississippi Valley until after the introduction of the steamboat. Merchants of the interior had shown a preference for buying most manufactured goods through the Eastern cities. At the same time, there was a domestic and foreign demand for cotton and other produce shipped from the port. Consequently, the city concentrated upon its position as a world port.

RAILROADS CHANGE TRADING AREA

The city's failure to recognize the importance of railroad and canal construction and the resultant tardiness in railroad development in this area resulted in its losing a large amount of business

[54] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), pp. 199, 209.

to other cities. If it is assumed that, regardless of how railroads might have radiated out of New Orleans, the general direction of railroad construction for the United States was to be East-West, it is doubtful whether New Orleans could have maintained the pre-eminence it attained during the steamboat period. Railroads supplied the missing link between the industrial and mercantile East and the agricultural Mid-West.

Earlier construction of railroads out of New Orleans undoubtedly would have influenced the routes of other lines in competitive territory. Nearly all of the early railroads owed their origin more to the desire of merchants in seaport cities to enlarge their trading areas than to the need of agricultural areas for better transportation facilities.[55] Because railroad construction offered new opportunities for trade development, competition among cities often came from unexpected courses. This is well illustrated in the effect upon New Orleans of a railroad built from Charleston, South Carolina, to Augusta, Georgia, shortly after 1827 to recoup Charleston's wholesale trade, which was being lost to river towns. The venture was a success, partly because of an encroachment upon Savannah's trade. The latter city, not to be outdone, promoted the Central of Georgia Railroad, which reached far enough west to attract some trade from territory normally served by Mobile. In self-defense, Mobile encouraged construction of the Mobile and Ohio Railroad in order to secure trade from the New Orleans trading area. River transportation not having produced sufficient upstream business, New Orleans promoted northward through Mississippi a railroad which later became part of the Illinois Central System.[56]

Construction of railroads and canals caused considerable change in the size and shape of the New Orleans trading area. For instance, whereas the people of Ohio had only New Orleans as a market for their heavy produce in 1830, they had Boston, New York, and Philadelphia by 1842, and also Baltimore by 1853.[57] Eastern wholesalers now had an increased opportunity to deal directly with the retailers of the interior instead of having their trade routed through New Orleans. Together with newly-established wholesalers in the Upper Mississippi Valley, they rapidly won for themselves the upper portion of what had been New Orleans trade territory.

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[55] Ulrich B. Phillips, *Life and Labor in the Old South* (Boston: Little, Brown, and Company, 1929), 146.

[56] *Ibid.*, 147.

[57] Norman S. B. Gras, *An Introduction to Economic History* (New York: Harper and Brothers, 1922), 227.

Although St. Louis remained part of the New Orleans market for a slightly longer period, Enoch G. March had goods shipped from the East to St. Louis, via Chicago, as early as 1831, at one-third less cost than by way of New Orleans.[58]

Judged by the total volume of commerce entering and leaving the city and by the rate of population growth during the prosperous decade from 1830 to 1840, New Orleans seemed to be gaining on its eastern rivals. The remaining period preceding the Civil War, however, showed that the city's trading area was to become a more restricted one. Trade was diverted to new routes as a result of canal construction, and the city's problem was magnified when the railroads divided the trade area claimed by New Orleans, with the most desirable part going to competitive northern and eastern cities. The city also was affected adversely by the absence of manufacturing, concentration upon a single commodity, the shipbuilding industry's construction of ships too large to pass readily over bars at the mouth of the river, high port charges, and too great a dependence upon distribution centers.

Many remedies were suggested and various attempts made to create the necessary two-way trade to replace the faltering one-way flow. Between 1845 and 1860, *DeBow's Review* and the *New Orleans Price-Current* devoted much space to the discussion of this problem. The leading suggestions, virtually constituting the city's program to gain the desired trade, were: to promote and aid construction of railroads to the North and West to facilitate the collection and distribution of commodities; to increase the export and import business by improving the shipping facilities for both coastwise and European trade; to secure the growing California trade, building a railroad across the Isthmus, if necessary; and to establish local manufacturing, retaining the profit at home, and thus to develop the home territory.[59]

WHOLESALING INSTITUTIONS PRECEDING THE CIVIL WAR

As indicated previously, various forms of wholesaling were carried on while Louisiana was still under foreign control. Great Britain, New York, and Philadelphia, particularly the latter, had been the primary sources of merchandise at the time of the

[58] Calvin C. Pease, *The Frontier State, 1818-1848* (Vol. II of Clarence W. Alvord, ed., *Centennial History of Illinois*, 5 vols., Springfield: Illinois Centennial Commission, 1918), 190.

[59] Erastus P. Puckett, "The Attempt of New Orleans to Meet the Crisis in Her Trade With the West," in *Proceedings of the Mississippi Valley Historical Association*, X (1918-1921), 482-483.

purchase of the territory by the United States. These sources continued to be important, with the American cities increasing their percentage as domestic manufacturing developed. Trade with the settlers of Kentucky and Tennessee increased sufficiently by 1785 to justify several Philadelphia merchants in establishing agents in New Orleans to participate in that trade.[60]

In attempting to ascertain when a merchant first operated exclusively as a wholesale merchant in the city, one is confronted with a situation in which many business houses advertised as wholesalers or were referred to in that capacity, but actually may have been carrying on considerable retail business. Since consignment selling to New Orleans merchants was very common during the first quarter of the nineteenth century, there also is the question of how much of this is permissible for an establishment recognized as a wholesale house. Both merchant middlemen and functional middlemen were operating in New Orleans.[61] Importers, shipping merchants, and wholesalers were the most important of the merchant middlemen; while commission merchants, factors, brokers, and auctioneers were most prominent in the functional group. Many were engaged in both kinds of business. The following advertisement illustrates a frequent type of combination;[62]

JOHN LYND.

Sworn Broker, regularly appointed by His Excellency, the Governor, begs leave to inform his friends, and the public, that he has opened his office fronting the Levee, three doors from the corner of Mrs. Chabot's street—For the purchase and sale of Produce and Merchandise in general.

Custom-house business generally transacted with care and dispatch—Money procured for good paper, on moderate terms—Captains of vessels and Strangers will find it their interest in applying at this office.

For Sale

Bills of Exchange on Philadelphia.

Wanted

To purchase one hundred and fifty bales good COTTON for which cash will be given. Apply as above.

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[60] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 181.

[61] Merchant middlemen buy goods outright and thus acquire the title to them, whereas functional middlemen merely facilitate the transfer of ownership without themselves taking title.

[62] New Orleans *Louisiana Gazette*, December 28, 1804.

On March 22, 1805, Ludlow and Cornwell advertised that in addition to their grocery business they were engaging in the commission business "for the purchase and sale of the produce of the country, as well as every other species of merchandise."[63] Pollock and Morgan advertised the arrival of 20,000 pounds of superior green coffee which they would sell "upon moderate terms, by the bag, barrel, or larger quantity."[64] Martin Gordon and Company[65] offered groceries, and C. W. L. Kleinschmit[66] a wide assortment of goods, at "wholesale and retail."

Indicative of public interest in the auction as a marketing institution, and possibly also of its threat to other middlemen, was the enactment of a Territorial law to regulate sales at auction.[67] Although neither newspapers nor periodicals of the period reveal extensive use of this middleman in New Orleans for the sale of imported merchandise, this legislation is of special interest as an illustration of early legal control of marketing institutions and methods. Among the Act's provisions were: that only auctioneers duly appointed by the governor might sell goods, chattels, land, or tenements at public auction; that the governor was to appoint three auctioneers annually for the city and suburbs; that the auctioneers were to be bonded and required to make complete reports of sales; that commissions were to be 1% on the sale of real estate, ships, and slaves, and 2½% on all other goods.[68]

In the cities of the East, the auction was used freely between 1812 and 1850, primarily for imported goods at first, but later also for domestic merchandise. It was claimed in 1825 that three-fourths of all British and French goods imported into New York were for foreign account and sold at auction.[69] Because foreign manufacturers found them an economical and popular method of distribution, auctions became a strong competitor of importers and jobbers, who petitioned Congress to regulate them.[70] With the exception of two Federal Acts, however, that were primarily revenue laws, passed in 1794 and 1813, regulation of the auctions

[63] *Ibid.*, March 22, 1805.
[64] *Ibid.*, January 10, 1805.
[65] *Ibid.*, January 25, 1805.
[66] *Ibid.*, May 21, 1805.
[67] *Ibid.*, March 15, 1805.
[68] *Ibid.*; Fred M. Jones, *Middlemen in the Domestic Trade of the United States, 1800-1860* [*Illinois Studies in the Social Sciences*, XXI, No. 3] (Urbana: University of Illinois, 1937), 40.
[69] *Niles' Weekly Register* (Baltimore, 1811-1849), XXVII (1824-25), 273.
[70] *Ibid.*, XXXI (1828-29), 228-229.

was left to the states.[71] The merchandise broker gradually replaced the auction, but as late as 1851 there were twenty-seven auctioneers in New Orleans securing a sales volume of $1,300,000 during the quarter-year ending June 30 of that year.[72] The following advertisement of a New Orleans auction illustrates the operations of this type of agent middleman:[73]

AUCTION SALES

By J. Levy

Extensive Sale of Clothing, Boots, Brogans, etc., on Credit. Will be sold on Thursday 25th, and Saturday 27th inst. at 10 o'clock, A. M., at the Warehouse of Isaac Bridge and Company, in Magazine street.

600 cases boots, brogans and shoes; ladies' kid, prunellas and leather shoes; men's and boys' hats and caps; 30 cases seasonable clothing, consisting of men's satinett pantaloons and jackets, Kentucky jeans pantaloons, satinett frock and surtout coats and vests, dress coats, white cotton and calico and heavy brown cotton shirts, drilling and dercy pantaloons and jackets.

Also—50 pieces bagging, 100 boxes Cavendish tobacco.

Terms—All sums under $250, cash; $250 to $500, 60 days; $500 to $1,000, 90 days; over $1,000, 4 months, for approved paper.

Commission merchants, operating exclusively as such or in addition to other capacities, appear to have found a fertile field in the city during the first half of the nineteenth century. Census statistics reveal that in 1839 New Orleans had 375 commission houses compared with 2,881 for the entire United States.[74] New Orleans and New York had over forty percent of the total. While insufficient information prevents ascertaining the degrees of specialization of these agents, it can be assumed that because of the greater flow of produce into New Orleans, a larger proportion of the volume of business done by its commission merchants involved agricultural products than was true in New York.

Between 1820 and 1860, especially in the middle of this period, many of the New Orleans commission merchants specialized in cotton, sugar and tobacco transactions, but there were others who sold chiefly manufactured goods. Advertisements of the period reveal that these merchants sometimes specialized in

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[71] Richard Peters, ed., *The Public Statutes at Large of the United States* (Boston: Charles C. Little and James Brown, 1845-1855), I, 397; III, 44.

[72] *Hunt's Merchants' Magazine*, XXV (1851), 364.

[73] New Orleans *Daily Picayune*, January 25, 1838.

[74] *Compendium of the Sixth Census of the United States, 1840* (Washington: Department of State, 1841).

particular types of products. In 1815, Vincent Nolte and Company emphasized its fine assortment of English dry goods.[75]

Occupational functions were very flexible among early wholesale middlemen in New Orleans, and consequently occupational titles must not be accepted without reservation. Even though there was great variation within given types of business, it nevertheless is desirable to ascertain in what kinds of business individuals or groups represented themselves engaged. Not all business firms advertise, but available copies of a local trade journal that commanded great respect among businessmen and planters, and consequently carried business card advertising for a large number of firms, provide some help.[76] As only an approximation is sought, examination of the advertisements is confined to a random issue, September 2, 1844. The relative number of business houses which stressed various types of business is revealed in Table II.

TABLE II

Kinds of Business Advertised in the New Orleans Price-Current and Commercial Intelligencer (September 2, 1844).

Kinds of Business Advertised	Number of Advertisements
Commission and forwarding agent	59
Commission merchant	54
Cotton and/or tobacco commission merchant and factor	21
Factor, commission merchant, and forwarding agent	66
Importer and commission merchant	5
Cotton, sugar, and tobacco factor	4
Auction and commission merchant	4
Commission merchant and shipping agent	4
Commission merchant and receiving and forwarding agent	2
Salt merchant	2
Commission merchant, ship broker, and forwarding agent	1
Commission merchant, forwarding agent, and produce merchant	1
Dry goods merchant	1
Commission merchant, forwarding and shipping agent	1
Ship broker and commission merchant	1
Tobacco broker	1
General broker	1
Sugar and molasses broker	1
Produce purchasing broker	1
Cotton factor, receiving, forwarding, and commission merchant	1
Wholesale grocer and dealer in staple goods	1
Grocer, wholesale and retail	1
Dealer in manilla and tarred cordage	1
Commission and flour merchant	1

[75] *Louisiana Gazette*, April 4, 1815.
[76] *New Orleans Price-Current and Commercial Intelligencer*, September 2, 1844.

The transitional stage in the development of various wholesale middlemen is reflected in the combination of functions stressed in these advertisements. Occasionally, the normal steps in the marketing of goods are reversed. For example, Winston and Shall, wholesale grocers, advertised in 1837 that they were offering a complete and well-assorted stock to commission merchants of the city as well as to merchants and planters in the country.[77]

Like the commission merchant, the factor was a functional middleman who bought or sold commodities or goods for his principal, but he differed in that he usually represented only the planters. He became not only the planter's commission merchant but also virtually his banker. Firmly established in New Orleans by 1830, the cotton factorage system reached its high point in the fifties.[78] After the Civil War, it decreased in importance because the change from the plantation system to smaller farms required a new agricultural credit system. Port factors were needed less as the amounts of credit required by small individual growers were too small to warrant dealing with them; local bankers and merchants took over this function.[79]

Cotton and sugar factors were influential middlemen in New Orleans. Because of their large purchases and the miscellaneous services they performed, they must be recognized in an analysis of the types of wholesale middlemen operating in the city. Merchandise brokers, as shown in a previous table, tended to specialize both as to products and function, some concentrating on purchasing, others on selling. An estimate, made in 1834, placed the number of brokers then operating in the city at fifty or sixty.[80]

WHOLESALE TRADING AREA, 1825-1860

Little information is available on the earlier operations of the city's wholesale merchants. However, a number of the present wholesale houses were organized during the prosperous thirty-year period preceding the Civil War, most of them operating jointly as wholesalers and retailers during their early years.[81]

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[77] *Ibid.*, October 21, 1837.

[78] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 205.

[79] G. G. Huebner, "The Foreign Trade of the United States Since 1789," in Emory R. Johnson, T. W. Van Metre, G. G. Huebner, and D. S. Hanchett, *History of Foreign and Domestic Commerce of the United States*, II, 60.

[80] "Toledano *v.* Klingender, 6 *Louisiana*, 692 (1834).

[81] A brief history of many of the city's business firms is found in *Biographical and Historical Memoirs of Louisiana*, already cited in Footnote 53 above.

The first city directory of New Orleans, giving wholesalers a separate classification, aside from summarized groupings in Paxton's *Directory* in 1822, was published in 1870. The city's immediate wholesale trading area, nevertheless, can be ascertained fairly well during a typical prerailroad period by noting the interior points to which steamboats operated from New Orleans, and the relative importance of these cities as a market for New Orleans can be judged roughly by the number of trips on which the respective cities were listed as the destination. Although this method fails to include upbound cargoes carried in flatboats and other non-steam vessels, for which the data were unavailable, and does not distinguish between sizes of ships and cargoes, these limitations do not tend to change the general outline of the wholesale trade territory. Scheduled departures and destinations, taken from the listings in a weekly trade journal on the first and third Saturdays of each month, in 1828 and 1830, indicate the distribution of outbound trade with the city's hinterland, as shown in Table III.

Representative of the flow of trade about five years after the completion of the Erie Canal, and approximately fifteen years before the railroads made serious inroads upon the river trade, these data support the contention that the Upper Mississippi Valley was buying a large part of its manufactured goods elsewhere than in New Orleans, even before railroad construction provided easy traffic routes. It will be noted in Table III that approximately only 20% of the boats in these two years were bound for cities above St. Louis.

TABLE III[82]

Number of Steamboats Bound From New Orleans to Scheduled Destinations As Listed on First and Third Saturdays of Each Month (1828 and 1830)

Destination	Number of Times Listed	
	1828	1830
Bayou Sarah, Louisiana	56	72
Louisville, Kentucky	46	57
Vicksburg, Mississippi	29	22
St. Louis, Missouri	28	25
Natchez, Mississippi	22	11
Nashville, Tennessee	19	8
Fort Adams, Mississippi	10	..
Alexandria, Louisiana	10	5

[82] Compiled from *New Orleans Price-Current and Commercial Intelligencer*, 1828 and 1830.

Destination	Number of Times Listed	
	1828	1830
Donaldsonville, Louisiana	9	6
Cincinnati, Ohio	8	4
Florence, Alabama	6	9
Port Gibson, Mississippi	5	2
Attakapas, Louisiana	4	1
Opelousas, Louisiana	3	5
Natchitoches, Louisiana	3	3
Madisonville, Louisiana	3	..
Ouachita, Louisiana	2	1
St. Martinsville, Louisiana	2	7
Arkansas, Arkansas	2	..
Grand Gulf, Mississippi	2	1
Pearl River, Mississippi	1	..
Red River, Louisiana	1	10
Tuscumbia, Alabama	1	..
Pittsburgh, Pennsylvania	1	5
Trinity, Louisiana	1	..
Plaquemine, Louisiana	1	..
Lafourche, Louisiana	..	9
Hannan's Bluff	..	1
Chittaloosa, Mississippi	..	1
Yazoo River, Mississippi	..	7
Bruinsburg, Mississippi	..	2
Mobile, Alabama	..	14
Ecore Fabre, Arkansas	..	2
Bayou Tunica, Mississippi	..	7
Harrodsburg, Kentucky	..	1
Total	275	298

Between 1820 and 1860, the city's wholesale trade volume, as explained in a previous section, came chiefly from Louisiana, Mississippi, Alabama, Tennessee, Arkansas, and Texas. Part of this wholesale trade consisted of Western produce shipped to New Orleans from far up the river, only to be reshipped to plantations located from three to four hundred miles above the city.[83] As specialization in the production of cotton and sugar increased, and as the city grew, the percentage of Western produce consumed in the domestic market became larger. The value of upstream shipments of such produce shortly before the Civil War was approximately 57% of the value of shipments coming down the river to the city.[84] Of the shipments of other goods up the river, at least 75% were estimated to be articles which previously had been shipped down to New Orleans.[85]

[83] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), p. 221.
[84] *Ibid.*
[85] *Ibid.*, 205.

INCREASED COMPETITION FROM OTHER TRADE CENTERS

New Orleans moved ahead of New York in 1834 in value of exports, and for the next ten years remained the leader much of the time. In domestic distribution, however, competitive cities began building their own trade areas out of territory formerly served, at least partially, by New Orleans. As early as 1820, St. Louis had become a trading center for the area rapidly being settled west of the Mississippi.[86] By 1841, it had twenty wholesale grocery houses, including commission business, with sales estimated at $3,500,000.[87] In 1852, there were about twenty wholesalers located there who were engaged in the dry goods business and had a sales volume of $20,000,000.[88] Prior to 1855, when railroad construction connected St. Louis with the East, she was entirely dependent upon the Mississippi River and its tributaries for transportation. Consequently, New Orleans trade was dominant south of the State of Missouri.[89]

In the Ohio River Valley, Louisville and Cincinnati were developing rapidly as trading centers. In 1853, a writer in *DeBow's Review,* extracting largely from Cassiday's *History of Louisville,* credited Louisville with twenty-five wholesale dry goods houses, whose market reached from northern Louisiana to northern Kentucky and embraced a large portion of the states of Kentucky, Indiana, Tennessee, Alabama, Illinois, Mississippi, and Arkansas.[90] There also were seven boot and shoe wholesalers, eight wholesalers in the drug field, nine in the hardware trade, and thirty-nine in the grocery field. Because Cincinnati was developing likewise, expansion of wholesaling in New Orleans became a question of individual lines of products. Unless the city became a more important manufacturing or import center, or could greatly improve its transportation service, it no longer could hope to possess important advantages as a distribution point for the Upper Mississippi Valley. Transportation facilities and costs clearly were important factors in stimulating the growth of these inland trade centers, which were becoming competitors of New Orleans as wholesale centers.

The fact that New Orleans received most of its dry goods from the East, and on consignment, tended to minimize the city's

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[86] R. B. Way, "The Commerce of the Lower Mississippi in the Period 1830-1860," in *Proceedings of the Mississippi Valley Historical Association,* X (1918-1921), 58.
[87] *DeBow's Review,* XIII (1852), 189.
[88] *Ibid.*
[89] *House Executive Documents,* 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States,* 1887), p. 53.
[90] *DeBow's Review,* XIV (1853), 217.

importance as a wholesale center for that type of goods. Recognition of this condition is evident in the following advertising of one of the larger dry goods houses of New Orleans:[91]

> S. W. Oakley and Company—Dry Goods, having made arrangements to receive their regular supplies of European goods direct from the different ports in Europe, and American goods from the several manufactories direct, will enable them hereafter to offer goods at as low prices as they can be obtained in any city in the United States. Those persons residing near the Mississippi River or its tributaries, who purchase supplies of Dry Goods in New Orleans, will have an advantage over those purchasing at a distant northern city by the saving of freight, insurance, and other charges, besides time, as goods can be brought direct from the American factories, or imported from Europe into this city, with no greater charges than goods incur on being landed in any northern port. . . .

To the extent that this importer-wholesaler was able to secure steamship rates from Europe to New Orleans as low as those quoted from Europe to New York, he apparently was an exception. One of the reasons frequently given for New York's strong position in the dry goods wholesale trade was its cheaper freight rate on imports.[92] New York had been able to pay the additional coastwise freight charges and still compete successfully with Southern merchants.

In contrast with the dry goods situation, New Orleans maintained its relative position very well in the wholesaling of groceries. Between 1820 and 1850, merchants in Illinois, Iowa, and Missouri were purchasing groceries through New Orleans because of the attractive prices.[93] Located nearer the source of supply of commodities imported from Central and South America, the city had an advantage in distributing coffee and cocoa. Sugar produced at home and in Cuba also gave it an advantage.

Although the United States made no special attempt to secure data on wholesale distribution preceding 1930, the *Census of 1840* included data on the number of retailers and their capital investment. Table IV, based upon some of these data, shows the degree of retail development in states comprising much of the New Orleans trading area of that date.

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[91] *Picayune*, January 25, 1837.

[92] T. W. Van Metre, "The Coastwise Trade," in Emory R. Johnson, T. W. Van Metre, G. G. Huebner, and D. S. Hanchett, *History of the Foreign and Domestic Commerce of the United States*, I, 339.

[93] Lewis E. Atherton, *The Pioneer Merchant in Mid-America* [*University of Missouri Studies*, XIV, No. 2] (Columbia: University of Missouri, 1939), 78.

Undoubtedly of special interest to the New Orleans wholesaler of 1840 was the tendency towards a larger average investment per store as the retailer's distance from the wholesale market increased. Transportation service was slow and wholesale purchases were infrequent. In addition, the general store still was the primary type of retail establishment in the West, whereas specialized stores were being established in the more populous East. Because of these facts less capital per store and larger retail stocks were required in the latter area. In general, this average capital investment was higher throughout the Mississippi Valley than in the East. New York, for example, had an average investment of $3,452 compared with $6,258 for stores of the Southern states analyzed in Table IV.

Credit terms became a sales weapon in the competition between wholesalers in New Orleans and those of the East. Southern wholesalers, handicapped by an insufficiency of capital in their area, found that when they had to grant the same credit terms offered by their Northern competitors—often twelve months—they could not discount such long-term paper in Southern banks.[94] It therefore was charged in New Orleans that long-term credit was the cause of the Northern cities obtaining much Western and Southwestern trade that otherwise would have accrued to the city.[95]

TABLE IV[96]

Capital Invested in and Distribution of Retail Dry Goods, Grocery, and Other Stores in New Orleans Trade Territory in 1840

State	Number of Stores	Capital Invested	Average Investment per Store
Alabama	899	$ 5,642,885	$ 6,275
Arkansas	263	1,578,719	6,003
Louisiana	2,465	14,301,024	5,802
Mississippi	755	5,004,420	6,628
Tennessee	1,032	7,357,300	7,129
Total	5,414	$33,884,348	$ 6,258

[94] Robert R. Russell, *Economic Aspects of Southern Sectionalism* (Urbana: University of Illinois, 1924), 105.

[95] *Hunt's Merchants' Magazine*, XXXIII (1855), 263.

[96] *Sixth Census* (1840), *Compendium of the Enumeration of the Inhabitants and Statistics of the United States* (Washington, 1841).

The South as a whole was financially dependent upon the East. Southern leaders attributed this condition largely to the region's limited amount of direct foreign commerce, insufficient accumulation of capital, limited variety of industries, and small number of cities. In parts of the South mercantile interests believed that much of their difficulty lay in banking policies that favored agriculture.[97]

The Southern wholesaler encountered various disadvantages compared with his Eastern competitors. The volume of imported goods consumed in the South appears to have been relatively smaller than in the North. This often resulted in his being forced to keep assorted stocks for long periods, whereas demand in the East permitted a growing specialization and a more rapid stock turnover. The frequent use of the auction in New York to dispose of cargoes gave jobbers and importers in that area a price advantage.[98] Knowing that New Orleans wholesalers purchased most of their merchandise in the East, interior merchants preferred to buy their stocks there also and thus eliminate probable higher prices. Also, the South's dependence upon the cotton crop and cotton prices subjected its wholesalers to much greater market risks than existed in regions having a wide range of industries.

WHOLESALE TRADE FOLLOWING THE CIVIL WAR

Although the Civil War caused little physical destruction in New Orleans, the city's merchants and factors never wholly recovered from the loss of wealth occasioned by the war. Merchants and planters suffered especially severe losses since much of the wealth had been concentrated in their hands.[99] By 1865, however, the general form of the wholesale business was sufficiently well established in New Orleans to set the approximate pattern for the next fifty years. Like other methods of distribution, it could not remain absolutely unchanged for long periods of time. Wholesalers have had to adapt their operations to changing products, markets, and producers.

Railroads became increasingly important in determining trading areas. Competition among the railroads reduced the freight rates below the cost of transportation on the Mississippi River, causing many shippers of the West and Upper South to ignore the New Orleans market. Cincinnati, Louisville, St. Louis,

[97] Russell, *op. cit.*, 106.
[98] *Ibid.*, 110.
[99] *Picayune*, August 10, 1873.

Memphis, and Vicksburg, on the other hand, received greater shipments and because of new trade contacts improved their status as wholesale centers.[100] By 1887, shipments of cotton to New Orleans by river from Greenville, Mississippi, and Memphis, Tennessee, two formerly important shipping points, had nearly ceased; and upstream cargoes to Memphis from New Orleans were limited to rice, coffee, sugar, molasses, and similar imported goods.[101]

A further adverse factor, less adaptable to statistical measurement but important in effect, particularly during the seventies, was the law virtually closing the port of New Orleans to tropical trade from June to October of each year because of the fear of starting new epidemics of yellow fever. This fear of the fever caused merchants in interior areas to buy merchandise and provisions elsewhere.[102]

Recognizing that not all imported goods enter wholesale channels, it nevertheless is significant that a comparison of trade in 1858 with that of 1878 shows that in the former year New Orleans imported 6% of the total value of United States imports, whereas in the latter year the proportion fell to 3% of the total.[103] The rapid growth of competitive import cities and the increasing importance of coastwise trade in providing New Orleans with goods manufactured in Eastern cities were additional factors responsible for this relative decline in imports. The importance of individual types of goods imported also changed during the above period. In 1858, a much wider range of consumer goods was imported into New Orleans than in 1878. Coffee, sugar, and molasses constituted only 26% of the value of the city's imports in the former year, whereas in the latter year they accounted for 63% of the total.[104] For many lines of goods, the city's wholesalers thus became increasingly dependent upon Eastern sources.

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[100] New Orleans *Commercial Bulletin*, September 1, 1870.

[101] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part II (*Report on the Internal Commerce of the United States*, 1887), pp. 146 ff.

[102] *DeBow's Review*, I, No. 1 (October, 1879), 56.

[103] *House Executive Documents*, 50 Cong., 1 Sess., No. 6, Part I (*Report of the Chief of the Bureau of Statistics in Regard to the Foreign Commerce of the United States*, 1887), p. xxiv; Part II (*Report on the Internal Commerce of the United States*, 1887), pp. 377 ff.

The author has been unable to reconcile the 6% decrease computed here with the statement in *DeBow's Review* (Vol. I, No. 1, October 1879, p. 55) that New Orleans' proportion of total imports had decreased 27% between these years.

[104] *House Executive Documents*, 35 Cong., 2 Sess., No. 13 (*Report of the Secretary of the Treasury . . . of the Commerce and Navigation of the United States for the Year Ending June 30, 1858*), pp. 402-523; *Ibid.*, 45 Cong., 3 Sess., No. 32, Part I (*Annual Report of the Chief of the Bureau of Statistics on the Commerce and Navigation of the United States for the Fiscal Year Ended June 30, 1878*), pp. 76-125.

In the absence of census data on wholesaling for the desired period, New Orleans city directories for the decennial years from 1870 to 1920 have been examined for wholesaler listings. Such data must be used with caution, since the publishers changed during that period and none of them defined what constituted a wholesaler. Inspection reveals that many of the firms classified as wholesalers were also listed as retailers. Apparently, because they sold to the retail trade rather than to consumers, local manufacturers in the drug, clothing, and shoe trades were considered wholesalers. Recognizing the lack of uniformity in classification, one can see in these figures, nevertheless, significant changes during the fifty-year period. The development of interior concentration markets, new trade routes, and a changed agricultural economy decreased the importance of the cotton commission merchants and factors. With the exception of groceries, dry goods, and shoes, it will be noted that the number of wholesale merchants did not change greatly.

This was a period when wholesalers generally throughout the United States were in a strong position and earned for themselves the recognition of being the "orthodox channel of distribution." During the decade following 1880, machinery was installed freely and the country witnessed a great industrial expansion. In many instances, manufacturers had such a large proportion of their capital invested in production facilities that they were not in a position to develop the markets for their goods themselves. Wholesalers, on the other hand, could fulfill most of the marketing needs; and consequently they were utilized freely. As a class, they could provide wide distribution quickly, they had established business connections, their control of marketing made bank credit freely available to them, and their knowledge of local markets was superior to that of outsiders.[105]

In 1894, a local author stated that New Orleans was supporting about 1,000 important business houses, excluding small retailers, of whom 300 were jobbing houses and 200 were manufacturers carrying on a jobbing trade.[106] The trading area was said to embrace Florida, Alabama, Mississippi, Louisiana, and Texas; also, for larger jobbers, Georgia, Tennessee, and Arkansas. Mexico, Cuba, and Central America were included in the trade

[105] John R. Commons *et al.*, *History of Labor in the United States* (New York: Macmillan Company, 1921), II, 359.

[106] George W. Engelhardt, *The City of New Orleans* (New Orleans: George W. Engelhardt, 1894), 102.

territory of a few wholesalers.[107] Sugar, coffee, rice, and imported fruit were sold throughout the country.

WHOLESALE TRADE AREA BY 1900

The kind and size of middlemen found in the market and the the size of their trading areas differ by kinds of business. Some of these differences in size and in trading areas covered in 1904 are summarized in Table V.

TABLE V[108]

Trading Areas of New Orleans Wholesalers in Selected Kinds of Business (1904).

Kind of Business	Number of Wholesalers	Approximate Size of Sales Force	Combined Sales Volume per Year	Sales Territory
Grocery	35	300-400	$20,000,000	Florida, Alabama, Georgia, Mississippi, Arkansas, Louisiana, parts of Texas.
Drugs	3	75	8,000,000	Florida, Georgia, Alabama, Mississippi, Louisiana, Texas, Arkansas, Mexico, Porto Rico, Cuba, part of Central America.
Hardware	5	75	(no data)	Texas, Louisiana, Mississippi, Alabama, Arkansas, Florida, and increasingly, Mexico, Central America, Cuba, and Porto Rico.
Dry Goods	10	50	10,000,000	Louisiana, Mississippi, Arkansas, Florida, Texas, Mexico, and Central America.

While there is no means of checking the accuracy of the newspaper data used in this table, especially in view of the different concepts of what constituted a wholesaler, they agree quite closely with the trade directory listings analyzed. As the directories included what appears to have been wholesaling manufacturers, this table appears to present a more accurate picture of the activities of wholesale merchants in the four kinds of business analyzed.

[107] *Ibid.*

[108] Compiled from data in *New Orleans Item*, August 31, 1904.

A significant fact revealed by this compilation is the scope of the sales territory covered by the wholesalers of New Orleans. Having lost much of their Upper Mississippi Valley trade they began expanding in other directions. Trade with Mexico and the Caribbean countries was nothing new for New Orleans, as J. W. Zacharie, Forstall and Lazardi, and other New Orleans merchants had developed a merchandise trade there between 1820 and 1840.[109] Difficulty was encountered in promoting such business because of infrequent steamship service. Most of the steamship lines from those countries to the United States led to New York. Eastern Texas and Florida constituted new territory for a number of years; but the later, rapid development of cities there made those markets only temporary ones for New Orleans.

WHOLESALERS FACE CHANGING CONDITIONS

After approximately seventy-five years as one of the strong business units of America, the wholesaler of manufactured consumer goods, early in the twentieth century, found that a number of economic changes were weakening his position. Increased manufacturing capacity and improved financial strength of manufacturers; improved transportation and communication facilities; rapid development of chain store organizations; and a tendency for retail trade to concentrate in a smaller number of trading centers are but a few of the factors whose influence was felt adversely by many of the orthodox service wholesalers. The effect upon the volume of sales of the nation's wholesale merchants in the grocery, drug, dry goods, and hardware trades, following 1920, is best shown in the index compiled by the Division of Research and Statistics of the Federal Reserve Board.[110] While this index includes the sales of manufacturers who sell directly to retailers, the Federal Reserve Board's figures in the grocery, dry goods, drug, and hardware trades are chiefly for wholesale merchants.

The index numbers in Table VI reveal that when allowance is made for changes in the general price level, nationally, the dry goods wholesalers were gradually losing volume and the hardware and grocery wholesalers were having difficulty maintaining sales. On the other hand, the drug trade was favored with a fairly large increase in amount of business.

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[109] *Biographical and Historical Memoirs of Louisiana*, I, 184.

[110] United States Federal Reserve Board, *Federal Reserve Bulletin*, XIII (December, 1927), 826.

TABLE VI[111]

Relative National Wholesale Sales in Selected Trades and Years Adjusted for Changes in Wholesale Price Level
(Monthly average, 1923-25, equals 100)

Year	Groceries	Dry Goods	Drugs	Hardware	General Wholesale Price Index
1923	100	103	97	102	100
1924	104	100	102	100	97
1925	96	97	101	98	103
1926	99	95	108	101	99
1927	99	94	114	100	95
1928	100	88	116	96	97
1929	99	90	122	99	96

Although the above economic changes extended to the South also, the designated trades were affected slightly differently from the country as a whole. A separate index of the sales volume of New Orleans wholesale merchants is not available, but the index of the Federal Reserve Board provides data on the sales trend of various trades in the Sixth Federal Reserve District, which includes New Orleans and a considerable portion of its trading area. Table VII indicates the relative level of wholesale trade for the Sixth Federal Reserve District, from 1923 to 1928 inclusive, adjusted for changes in the general price level.

TABLE VII[112]

Relative Wholesale Sales of Selected Trades in the Sixth Federal Reserve District Adjusted for Changes in Wholesale Price Level

(Monthly average, 1923-25, equals 100)

Year	Groceries	Dry Goods	Drugs	Hardware	General Wholesale Price-Index
1923	97	96	96	102	100
1924	96	103	103	96	97
1925	107	101	101	102	103
1926	113	102	102	99	99
1927	98	102	120	102	95
1928	93	89	119	85	97

[111] Computed from data compiled by the Federal Reserve Board; *Commerce Yearbook, 1930*, I, 16.

[112] Computed from data by United States Bureau of Foreign and Domestic Commerce, *Commerce Yearbook, 1929* (Washington: Government Printing Office, 1929), I, 19.

The data in Tables VI and VII indicate that grocery and hardware wholesalers in the South held their ground less well than was true nationally, while drug wholesalers did slightly better; and Southern dry goods wholesalers did considerably better than their trade generally. The chain store movement, which had developed more slowly throuhgout the South than in the North, began to gain momentum by 1925, especially in the grocery field, and undoubtedly was an important cause of the adverse showing made by the wholesale grocers. The hardware trade was less affected by this movement, but was more closely related to the prosperity of the cotton economy. Consequently, when cotton production decreased sharply in 1927-28, wholesale hardware sales decreased.

Most of the conditions responsible for the weakened position of the wholesaler continued to exist when the United States became a participant in World War II. As elsewhere, the old orthodox wholesalers in New Orleans have had to compete not only with new types of institutions within their own ranks, but also with manufacturers and large retailers who wish to assume all or part of the wholesaling function.

Census data for 1939 revealed that New Orleans still holds the leading position in the South as a center for the operations of the typical service wholesaler. However, with manufacturers exerting pressure upon the wholesalers to reduce their operating costs at the same time that independent retailers are requesting additional merchandising aid, it is evident that many wholesalers are going to be forced to modify their business methods and policies in the not-too- distant future.

THE HISTORY OF THE LOUISIANA STATE LOTTERY COMPANY*

By BERTHOLD C. ALWES

INTRODUCTION

Importance of the subject—A State issue for twenty-five years—A national institution—Purpose of the study—Arrangement of the narrative—Procedures followed.

An enterprise that began as an unassuming chartered business, developed into a gigantic financial institution, operated its affairs in such a manner as to create a division of sentiment among the entire people of a commonwealth throughout a period of twenty-five years and to engage the attention of an entire nation during that period, and terminated its existence because of prohibition by federal and state laws, is of sufficient interest and importance to have its history recorded. Such an institution was the Louisiana State Lottery Company, the most colossal private speculative concern in the history of the United States.

The history of the Company was indissolubly linked with that of the state which gave it its name. For the twenty-five years of its chartered existence the Lottery Company provided an issue in the political circles of Louisiana. In some years the issue lay dormant; oftener, it was the mainspring of political activity. The average adult of today who hears the Company mentioned thinks of it in terms of the spectacular fight that obtained in 1890 and the two succeeding years; but that period, though the most dramatic, really constituted but a minor part of the history of the Company. A full account embodies four decades—1867 to 1907.

The Company was a national institution as well. Louisiana was the domicile of the Company, but the United States was its business field. That the Company exerted a nation-wide influence is easily comprehended when one realizes that more than ninety percent of the lottery proceeds came from without Louisiana. The people of the nation, having contributed lavishly to the maintenance of the Company, became intensely interested in the lottery question when the bitter fight was waged in Louisiana in 1890. That struggle agitated the entire country from center to circum-

* Master's thesis in history, Louisiana State University, 1929.

ference; and the agitation thus created precipitated Congressional legislation which made the Company powerless to continue its operations anywhere within the United States.

The purpose of this study is to present a detailed account of the Company from its inception to its end. The account is unbiased: No attempt is made to denounce the Company, or, on the other hand, to enter a defense in its behalf. The narrative demonstrates that although some of the activities and results of the Company's operations were reprehensible, yet others were beneficial. The striking anomaly is depicted of the loser apparently having the better of the argument; for, considering the conditions of the times, aside from the arguments against the Company on moral grounds and that it might become powerful enough to dictate the political affairs of the state and nation, the reasons set forth by those favoring the existence and continuance of the Company were more forceful and appealing than were those of the opponents.

This study begins with a report of the attitudes and conditions that were precursory to the Company's formation. A chronological story then follows throughout the narrative, with the exception of a separate chapter that is devoted to Congressional legislation, and its effects, on the subject. That separate chapter sets forth the state rights contention that lent national color to the matter, while the other chapters disclose—more by inference than by direct reference—how the Company influenced the history of Louisiana.

In preparing this treatise an attempt was made to study all available literature bearing upon the subject. The number of books dealing with the subject being very limited, and those few being so scanty in their nature, recourse was had to the New Orleans and other newspapers of the period, to the *Journals* and *Acts* of the Louisiana General Assembly, to certain decisions by state and federal courts, and to personal interviews with some individuals who took an active part in the 1890-1892 struggle. A serious limitation of the study is that no access was possible to any books or records of the Company itself, all such material having been destroyed. Had these records been available, this study could have been made far more valuable and comprehensive, and probably more startling. It is believed, however, that this account is accurate in every respect.

CHAPTER I

LOTTERY BEGINNINGS

Definition—Purposes of early lotteries in the United States—Objections to these lotteries—Purposes of early lotteries in Louisiana—Objections to these lotteries—Inception of the Louisiana State Lottery Company—Act No. 21 of 1866—Acts Nos. 40 and 154 of 1866—Lottery legislation in 1867—Charles T. Howard—Agent of the Kentucky Lottery—Success of Howard's agency.

The word "Lottery" has been given several meanings, but the definition that best fits this study is, "A scheme for the distribution of prizes by chance among persons purchasing tickets, the correspondingly numbered slips, or tickets, representing prizes or blanks, being drawn from a wheel on a day previously announced in connection with the scheme of indended prizes."[1]

Some lotteries played a part in our country's beginnings. "The genesis of the English settlement of Virginia presents the first record found of the lottery in connection with our own country." The third charter of James I to the Virginia Company of London in 1618 gave that Company power to "set forth, erect, and publish one or more lottery or lotteries." However, these lotteries were to be operated in England.[2] The earliest notice of an American lottery was in Andrew Bradford's *American Weekly Mercury* of Philadelphia, February 23, 1720. A new brick house was the prize.[3] In 1784 Benjamin Franklin, Edward Shippen and others organized a lottery to raise 3,000 pounds sterling needed for the erection of a battery of cannon on the Delaware River. The scheme was successful.[4] "During the Revolutionary War leave was granted to raise money by lottery for the officers and soldiers of Massachusetts in the field."[5]

Even Congress was not averse to authorizing lotteries. Three such acts are recorded.[6] One, in 1775, was "for defraying the

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[1] *Century Dictionary and Cyclopedia* (12 vols., New York, 1914), V, 3524.

[2] A. R. Spofford, "Lotteries in American History," in American Historical Association, *Annual Report*, 1892, p. 173.

[3] *Ibid.*, 174.

[4] *Ibid.*, 175.

[5] *Ibid.*, 178.

[6] John L. Thomas, *Lotteries, Frauds and Obscenity in the Mails*, 7-8, says: "In the article, 'Lotteries', by Dr. W. C. Smith, in the Encyclopaedia Britannica, it is stated, 'before 1820 at least seventy acts were passed by Congress authorizing lotteries for various public purposes, such as schools, roads, etc., about eighty-five per cent of the subscription being returned in prizes.' This is manifestly an error. Dr. Smith, in his statement, was evidently relying on Mr. Jefferson's memorial to the Virginia Legislature in 1826, praying for authority to establish a lottery for the sale of his property, in which he says that from 1782 to 1820 no less than seventy acts were passed 'by the Legislature' authorizing lotteries for various purposes. Mr. Jefferson meant the Legislature of Virginia, while Dr. Smith must have thought he meant the National Legislature and hence his mistake, which was natural enough for one not familiar with our dual system of Government."

Spofford, *loc. cit.*, 188, also calls attention to this error in the *Encyclopaedia Britannica*.

expenses of the next campaign."[7] A second, in 1776, to give the government fifteen percent of the money raised, was for "a United States lottery to raise money for the army then in the field."[8] The third was of historic importance:

> As an inducement to negotiate the loan of $800,000, authorized by the Colonial Congress of September 26, 1779, in addition to the four per cent interest which was to be paid, it was agreed to distribute among the subscribers, by lot, "obligations" of the United States for $276,000, as a bonus or premium on the loan; and as an additional inducement, "gratifications" amounting to from five to six per cent were to be paid at the time of redemption, to the holders of the original certificates. The certificates for this loan were identical, in principle, with the lottery or premium bonds negotiated by European governments and cities.[9]

Besides these authorizations, Congress legalized many state and municipal lotteries. Among these may be mentioned one for Maryland in 1795, and others in 1812, 1820 and 1827 for the municipal government of Washington City. The Act of February 22, 1827, authorized that the land of Thomas Jefferson should be included in the lottery schemes of the City of Washington, this to enable Jefferson's heirs to rehabilitate the family fortunes.[10] Although affirmative legislative action by the Federal government ended in 1827, Congress did continue long beyond that year to tax lottery schemes that operated under state authority.[11]

Time was when lottery schemes were in popular favor. During the quarter-century before 1815, whenever a bridge was to be built, a road constructed or repaired, a schoolhouse erected, a public building enlarged, a college treasury replenished,[12] or a church assisted,[13] the money was raised by lotteries. The people would not vote taxes, and the authorities could not issue bonds and guarantee their payment; so lotteries became acceptable means of providing revenue. "It was with the money collected from the sale of lottery-tickets that Massachusetts encouraged

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[7] Thomas, *op. cit.*, 6.

[8] *Ibid.*, 6; Spofford, *loc. cit.*, 182.

[9] Thomas, *op. cit.*, 6.

[10] *Ibid.*, 7-9.

[11] *Ibid.*

[12] From Dartmouth College in New Hampshire to William and Mary College in Virginia and Vincennes University in Indiana, they employed this mode of financial relief.—Edward Channing, *History of the United States*, IV, 24, 27.

[13] One issue of the Philadelphia *Aurora* advertised four church lotteries: The Holy Trinity, the Fourth Presbyterian, the Second Baptist, and the African Episcopalian. To this list might be added, from another paper, the German Evangelical Reformed Church of Philadelphia and the Catholic Cathedral Church of Baltimore.—*Ibid.*

cotton-spinning[14] and paid the salaries of many of her officers; that the City Hall was enlarged; that the Court House was rebuilt at Elizabeth; that the library was increased at Harvard; that many of the most pretentious buildings were put up at the Federal city. The custom, indeed, continued for several years, and the State of the Wheel became as regular an item in the papers as the ship news or prices current."[15] Faneuil Hall, erected in Boston in 1743, was almost destroyed by fire in 1761 and was rebuilt at once with proceeds from lotteries.[16] Lottery business in nine states alone in 1832 is reported to have reached the enormous figure of $66,420,162.[17]

Even while these early lotteries flourished there was considerable objection to them. As early as 1791 New Hampshire and Connecticut forbade lotteries, while Pennsylvania and Massachusetts debated the matter.[18] Thirty years later New York forbade lotteries.[19] By 1830, lotteries were under the ban in most of the states, save in Maryland and Virginia where they flourished as a source of revenue for town and city improvement.[20]

Mr. John R. Tyson of Philadelphia, in organizing an anti-lottery movement in 1833, has been credited with having invented the dogma of lottery immorality.[21] Tyson's publication termed lotteries "a system which is so fraught with moral mischief and political calamity." It listed specific cases to show that the evil results of lottery playing were insolvency, embezzlements, frauds, larcenies and robberies, extravagance and idleness, intemperance, and suicide. Tyson stated that a Mr. Hemphill, in the Pennsylvania legislature of 1829-30, proposed that that body go on record as favoring an anti-lottery amendment to the United States Constitution; and in his remarks Hemphill labored to show that such an amendment would not transfer state rights to Congress.[22] Tyson's arguments set forth in the early 1830's were again used against the lottery in 1890.

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[14] In order to support the completion of cotton-spinning machines after the English government had laid hold of Tench Coxe's models (1787), the General Court of Massachusetts was voted six tickets in a State Land Lottery which had no blanks. "Out of the money they drew, the first stock-card and spinning-jenny in the United States were made."—John Bach McMaster, *History of the People of the United States*, I, 297.

[15] *Ibid.*, I, 587.

[16] Spofford, *loc cit.*, 180.

[17] U. S. Assistant Attorney General for the Post-Office Department, Department of Justice, *Memoranda Concerning the Rise and Decline of the Lottery System in the United States* (Washington, 1883), 3.

[18] McMaster, *op. cit.*, II, 22.

[19] *Ibid.*, V, 388.

[20] *Ibid.*, VI, 96.

[21] New Orleans *Times-Democrat*, November 8, 1890, crediting *Chambers' Encyclopedia* with the statement.

[22] John R. Tyson, *A Brief Survey of the Great Extent and Evil Tendencies of the Lottery System, As Existing in the United States* (Philadelphia, 1833), *passim*.

The abovementioned purposes for which early lotteries were conducted elsewhere, were employed in Louisiana as well. An Act of the Legislature of Orleans Territory, approved March 6, 1810, provided for the raising of $10,000 by lottery for the benefit of Christ Church (Episcopal) in New Orleans. Other church lotteries approved by Louisiana legislatures were Acts in 1822 for raising $30,000 for the Presbyterian Church of New Orleans, and in 1826 for raising $20,000 for St. Francis Roman Catholic Church. Funds for internal improvements were provided by the following Acts authorizing lotteries: in 1814, $15,000 to improve Bayou Boeuf, and a like sum to construct a canal from Bayou Lafourche to the Attakapas region; in 1816, for $10,000 to connect the "Chafalaya" and Bayou Courtableau by canal; in 1813, $3,000 to repair roads from Springfield at the Tickfaw River. Lotteries were also authorized for miscellaneous purposes: In 1819, to the Medical Society of New Orleans for $15,000; in 1827, to the Louisiana Grand Lodge of Masons for $35,000; and in 1827, to the citizens of Iberville Parish for $4,000.[23]

Opposition to these early lotteries manifested itself in Louisiana at the same time that it did elsewhere. As early as 1826, Governor Henry Johnson sent a message to the Legislature about lottery evils. In 1833 the General Assembly passed an Act against lotteries; but, the act having little or no effect, it was repeated in 1841.[24] The Constitution of Louisiana of 1845, Article 116, and that of 1852, Article 113, prohibited lotteries and the buying and selling of lottery tickets. Thus from 1845 to 1864 it was a criminal offense to buy or sell a lottery ticket in Louisiana. But the Constitution of 1864 empowered the Legislature "to license the selling of lottery tickets and the keeping of gambling houses."[25]

Enough has been depicted to show that by 1865 the definitely crystallized sentiment against lotteries that prevailed throughout the Union was equally in evidence in Louisiana. In attempting to establish the reason why the Legislature chartered the Louisiana State Lottery Company in the face of opposition to such enterprises, one reaches but one conclusion: It was an aftermath of the Civil War. Louisiana, sorely aware of the war's cost, and bent upon a policy of financial reconstruction, saw an opportunity in lotteries as a medium. Her General Assembly of 1866, the next

[23] Louis Moreau Lislet, ed., *Digest of Acts of the Louisiana Legislature, 1804-1827*, II, *passim*.

[24] John Smith Kendall, *History of New Orleans*, II, 484.

[25] Spofford, *loc. cit.*, 190.

to last body elected by white free Louisiana before the flood of radical reconstruction,[26] "was composed of the ablest men in Louisiana, prominent at the bar, in planting, in commerce, in finance, in insurance, and all leading enterprises. . . . Many of them were from the armies of the Potomac, Tennessee, and the Trans-Mississippi, scarcely rested from the tedious camp and the weary march. . . . They were essentially the representative men of Louisiana, . . . striving to provide ways and means for running the machinery of the laws."[27] To them a bill to license the vending of lottery tickets was a measure of finance. Hence, little or no opposition was manifested against the bill which later became Act No. 21 of 1866.

That Act licensed the vending of lottery tickets and provided that the first $50,000 of the revenues therefrom should go to the New Orleans Charity Hospital and the remainder, if any, to the general fund of the state. Section 11 of the Act specified that said act did not authorize the establishment of any lottery within the state.

The bill which became Act No. 21 of 1866 was introduced on January 23 by Charles E. Fenner (later to become a Justice of the Louisiana Supreme Court) and was referred to the Committee on Charitable Institutions. Three days later the bill was taken up out of its regular order. On motion of James McConnell (destined to make an active fight against the Louisiana State Lottery Company in later years) it was amended to provide that the surplus of the lottery tax above $50,000 should go to the fund for the wounded and disabled Louisiana soldiers or their widows and orphans. The following day the bill was further amended by the Section 11, abovementioned. It passed the House by a vote of 46 to 25. The Senate struck out the wounded soldiers' benefit clause, and then passed the bill by a vote of 20 to 6, with 9 absentees.[28]

It was predicted that "The Proposed Scheme to Legitimize Gambling" would be beneficial in that it would properly tax the extravagances of the people and would reduce the then existing evils in New Orleans of corruption of officers and bribery of police by the gambling concerns in operation there.[29]

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[26] New Orleans *Daily States*, May 27, 1890.
[27] *Ibid.*, May 20, 1890.
[28] *Ibid.*, May 27, 1890.
[29] New Orleans *Times*, January 27, February 27, 1866.

Two additional Lottery Acts were passed in 1866; One was Act No. 40, supplemental to Act No. 21, which provided for the sale of stamps to vendors of lottery tickets;[30] the other was Act No. 154, which amended Act No. 40 so as to require vendors or dealers to give bond.[31] The license taxes collected by the state under these Acts amounted to $36,000 in 1866, a like amount in 1867, and $28,000 in 1868.[32]

An attempt was made in 1867 to "authorize C. T. Howard and his associates to draw lotteries for the benefit of the charitable institutions of the State of Louisiana," when a bill with that title was introduced in the House by Alfred Bourges of Orleans. The bill provided for the payment of $200,000 for a ten-year privilege.[33] It was referred first to the Committee on Charitable Institutions, then to the Committee on Judiciary, and finally to the Committee on Finance. The last named committee, B. F. Jonas, chairman, rendered a favorable report, with amendments. James McConnell, opposing the bill on moral and religious grounds, attempted in vain to have the bill indefinitely postponed. A. Sambola then offered the following amendment:

> It shall be lawful to sell lottery tickets and to draw lotteries in this state; but no one shall be permitted to sell tickets and to draw lotteries without paying annually the sum of $25,000 as a right, and besides furnishing bonds in the sum of $50,000, in favor of the State of Louisiana, to the auditor of public accounts, for payment of all prizes sold and drawn in any of the lotteries authorized by this act.

This amendment was adopted. Then, on the same day, when the House refused to reconsider the vote on the adoption of the amendment, B. F. Jonas moved that the bill be indefinitely postponed; and his motion was carried.[34]

It would appear that the indefinite postponement of the bill, rather than have it considered with Sambola's amendment, was done to give Howard a monopoly and to prohibit other companies from operating lotteries in the state. That such was not the case was attested to, however, by Mr. Jonas in later years. He is reported to have given the following explanation:

> I did not at that time know Mr. Howard and I do not remember who were his associates.
>
> It (the bill) was opposed by a few members on moral grounds and by others who desired to open the business of

[30] *Louisiana Acts*, 1866, pp. 68-70.
[31] *Ibid.*, p. 286.
[32] *Daily States*, May 20, 1890.
[33] *Times*, March 21, 1867.
[34] *Daily States*, May 27, 1890.

selling lottery tickets and drawing lotteries to any persons who might desire to engage therein.

We did this (moved for indefinite postponement) without any consultation with or regard to the wishes of Mr. Howard or his associates, placing our action on the ground, that the privilege granted would result in the establishment of numberless lotteries beyond the police power of the State, and that the bill as amended would prove a curse instead of a benefit to the State.[35]

And who was Howard? From a single source one finds that Charles T. Howard was born in Baltimore in 1832. At the age of twenty, he went to New Orleans. After becoming identified for two years with steamboat interests of the South and West, he was appointed agent in New Orleans of the Alabama State Lottery Company, which position he held until the outbreak of the Civil War, when he enlisted under the banner of the Confederacy. Returning to Louisiana in 1865, he was tendered and accepted the agency of the Kentucky State Lottery Company, which position he "filled with remarkable success until 1868," when he became the first president of the Louisiana State Lottery Company.[36]

Little can be learned about the activities of Howard in connection with the Kentucky Lottery in New Orleans except from a few inklings gathered from newspaper advertisements of that time. The Kentucky State Lottery Company advertised itself in 1865 as being the only legalized and chartered lottery in the United States, and the only one paying a Federal license and a five percent internal revenue tax on all sales. Drawings took place in Covington, Kentucky, in St. Louis and New York at the offices of Charles H. Murray and Company, and in New Orleans at the office of Charles T. Howard.[37] The capital prizes varied in amount from time to time, the one for December 1865 being $40,000 for a $12 ticket and the one for May 1866 being $100,000 for a $24 ticket. At the latter drawing there were 685 prizes aggregating $382,500.[38]

That Howard succeeded with his agency may be surmised from an advertisement in 1866, announcing sales of lottery tickets from the head office and six branch offices in New Orleans.[39]

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[35] *Ibid.*, May 28, 1890.
[36] Edwin L. Jewell (ed. and comp.), *Jewell's Crescent City Illustrated* (New Orleans, 1873), 113-114.
[37] *Times*, December 14, 1865.
[38] *Ibid.*, May 5, 1866.
[39] *Ibid.*, March 11, 1866.

Another evidence of his success is that, in addition to being agent for the Kentucky State Lottery Company, Howard was the New Orleans agent for the Alabama State Lottery Company in 1866[40] and for the Georgia State Lottery in 1867.[41] These experiences schooled Howard in the lottery business sufficiently for him to realize the possibilities of financial gain in a company licensed by Louisiana. He lost no time in getting the Legislature of 1868 to charter a company, the story of which will be related in subsequent chapters.

CHAPTER II

THE LOUISIANA STATE LOTTERY COMPANY IN ITS INFANCY

Introduction—Act 25 of 1868—Manipulations of the Legislature—Organization of the Louisiana State Lottery Company—Opening of the Company for business—First troubles of the Company—Early practices and successes of the Company—Beauregard and Early as commissioners—Attempts to incorporate other lottery companies—Opposition to the Company—Acts 9 and 10 of 1874—Attempts to repeal all lottery Acts—Attacks on the Company's origin and methods—Troubles in the courts—Constitutional convention proposed in 1878—Attempts at legislative investigations—Federal interference—Arguments favoring the Lottery Company—Arguments against the Lottery Company.

The act which chartered the Louisiana State Lottery Company was "conceived in the miscegenation of reconstruction and born in iniquity," according to many of the opponents of the Company.[1] It is doubtless true that reconstruction provided an opening for Howard to make an offer that would have been spurned in ordinary times. It is equally true that many members of the Legislature were bribed to vote for the bill. But it should be remembered that the "last white man's legislature" of 1866, by Acts Nos. 21, 40 and 154, had laid the foundation for the lottery legislation of 1868.[2] It was not difficult, therefore, for Howard to induce the Legislature of 1868 to license the Louisiana State Lottery Company. Howard was given two avenues of approach to the members: To the true, loyal native son who realized Louisiana's poverty-stricken condition following the Civil War, he could argue that the state needed the money; while to the carpetbagger and to the ignorant Negro he could offer bribes.

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[40] *Ibid.*, April 5, 1866.
[41] New Orleans *Daily Picayune*, December 14, 1867.
[1] *Southwestern Presbyterian* (New Orleans), May 2, 1895, Article by R. R. Mallard, D. D.
[2] *Daily States*, May 22, 1890.

It was a time "when crime was rampant and when bribery was the order of the day."[3] How much money was given in bribery will never be known; but that money was given has never been questioned.

The Louisiana Legislature of 1868 was probably the most profligate legislative body that ever disgraced the State during the entire Reconstruction period. It "gave protection to every form of crime under color of law that was able to pay for its privilege."[4] In 1876 Jesse R. Irwin in an affidavit stated that Howard had used large sums "for bribing members of the General Assembly of Louisiana. The sums paid out amounted to $300,000 during the first seven years of the company's existence." Another incorporator, F. F. Wilder, made affidavit to the same facts.[5]

Act No. 25 of 1868 was introduced in the House by B. C. Wren of Bossier on July 18, in the form of a bill to increase the revenue of the state by a lottery.[6] The bill received a favorable report by the committees on Corporations and on Charitable Institutions; and after several amendments were made, the House passed it on August 4. It was then sent to the Senate, where it passed its several readings, under a suspension of the rules, and was adopted by title on August 6.[7] The act was received in Governor Warmoth's office on August 11, 1868, and was allowed to become a law without his signature.[8]

The arguments in favor of the bill were that the state needed the revenue, and that, since lotteries were a necessary evil, it was better to charter one in Louisiana and keep the money at home than to speculate with foreign lotteries.[9]

The arguments against the bill were those given by the minority reports of the House committees to which it was referred. The objections listed therein were:

> First, because the object thereof is grossly immoral and corruptive to the community over which the General Assembly is made the guardian; second, because it gives exclusive privileges to the company so organized, which it is

[3] *Ibid.*, May 18, 1890, quoting Edward Douglas White, later Chief Justice of the United States.
[4] Chicago *Sunday Inter-Ocean*, November 10, 1901, Article by Colonel A. K. McClure.
[5] C. C. Buel, "The Degredation of a State," in *Century*, XLIII (1892), 622-628.
[6] *Daily Picayune*, July 18, 1868.
[7] *Ibid.*, August 7, 1868.
[8] *Louisiana Acts*, 1868, p. 26.
[9] *Daily Picayune*, August 4, 1868.

> contrary to good policy to give to any incorporated company were its object ever so praiseworthy; third, because though stock is to be subscribed for to the amount of $1,000,000, yet there is no provision that one single cent should be actually paid in; fourth, because the capital and property of the company organized for purposes so immoral is by this bill made exempt from taxation, while that of the industrious and honest must be taxed to support the poverty and crime which its vicious incentive will produce.[10]

The Act itself tells a subtle story.[11] Howard's name does not appear among the list of incorporators nor anywhere else in the Act. The contract conferred a distinct monopoly, yet shrewdly concealed that fact by making much ado about the objects of incorporation. Its title was "to increase the revenues of the State and to authorize the incorporation of the Louisiana State Lottery Company." Section 1 prohibited the sale of foreign lottery tickets and mentioned that millions of dollars had been withdrawn from and lost to Louisiana by the sale of Havana, Kentucky, Madrid and other lottery tickets. Section 2 incorporated the Company, with Robert Bloomer, Jesse R. Irwin, John Considine, Charles H. Murray, F. F. Wilder and Philip M. Luckett as members. Under the articles of incorporation the Louisiana State Lottery Company was to be domiciled in New Orleans, Louisiana, for the following objects: (1) To protect the State against losses in foreign lotteries; (2) To establish a solvent home institution and to insure fairness; (3) To raise funds for education and charitable purposes for the citizens of Louisiana.

The capital stock was set at $1,000,000—10,000 shares of $100 each. The Company could begin operations when one-tenth of its stock was subscribed. Seven stockholders were to constitute its board of directors. The Company was licensed at $40,000 a year, payable quarterly in advance, from and after January 1, 1869, and it was exempted from all other taxes and licenses; and was required to furnish bond of $50,000. The corporation was to continue for twenty-five years from January 1, 1869. A penalty of from $1,000 to $5,000, recoverable by said corporation, was provided against other companies or individuals selling lottery tickets in Louisiana after December 31, 1868. The Company was empowered to dispose of real estate by lottery.

The story of the manipulations of the bill in the Legislature and the organization of the Company to meet the provisions of

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[10] *Ibid.*
[11] *Louisiana Acts*, 1868, No. 25, pp. 24-26.

the Act was related by Dave C. Johnston in 1878, during a bitter fight against the Company.[12] Johnston had been in the lottery business as Louisiana agent of the Georgia State Lottery in the days when Howard was the agent of the Kentucky State Lottery. According to Johnston, Howard persecuted him through the Internal Revenue Department because Johnston was not paying the five percent tax on gross receipts. When Howard was getting his bill through the Legislature in 1868, five members of the Senate called on Johnston and offered to put a bill through for him if he would give them $40,000. Johnston didn't have the money. Regarding the $100,000 of stock paid in, Johnston stated that "the stock was mostly given away to the board of directors, to members of the legislature, and to C. T. Howard especially, he taking the lion's share." Howard borrowed $100,000 in cash from Charles H. Murray of Jersey City, New Jersey, and had it placed to the credit of the Lottery Company for one day in a bank in Jersey City.

One of the original incorporators (probably Irwin) is supposed to have told the story of how the incorporators financed the organization of the Company.[13] According to this story, Murray and John A. Morris paid out the $40,000. Howard had no money then. Bribery was to the amount of $50,000 given in stock and $15,000 in cash. "Mr. Howard kept at this time what he called his ——— book, in which the receipts of those members who had been purchased were kept." Forty thousand dollars was charged on the books of the Company as an expenditure for getting the then Supreme Court to decide that the lottery act was a valid one.

According to another account,[14] the formal applicants for the charter were men of straw; and nine days after the Legislature passed the Act, the corporation transferred its rights to John A. Morris, T. E. Simmons, and C. H. Murray.[15] The Simmons interest was later transferred to Charles T. Howard; but the interest of the other real owners was held intact until the enterprise was overthrown.

The Louisiana State Lottery Company, after having organized itself in accordance with law, opened its office on December 31, 1868, in the building once occupied by the Bank of New

[12] New Orleans *Democrat*, February 21, 1878.
[13] *Ibid.*
[14] *Sunday Inter-Ocean*, November 10, 1901.
[15] Buel, *loc. cit.*, XLIII, 623.

Orleans, at the corner of St. Charles and Union streets.[16] The daily drawings were announced to be held in public at four P. M. Two wheels were used, according to the Havana Lottery plan, said wheels being under the control of the commissioners of drawing, chief of whom was Adam Giffen, former state treasurer. Messrs. Howard and Lockwood gave assurance that the drawings would be conducted with the utmost fairness. The *Republican*, the only New Orleans newspaper to carry an account of the opening of the Lottery office, advised its readers not to buy lottery tickets in hope of gain; but for the benefit of those who were prone to take a chance it stated that "the Louisiana Lottery Company is as safe a place for investment as there is anywhere."[17]

The first daily drawing of the Company took place on January 2, 1869.[18] The *Daily Picayune* contained an announcement (advertisement) of the winning numbers in its issue of January 3. The announcement bore the names of C. T. Howard, president, and of Adam Giffen and F. F. Wilder, commissioners.

The Lottery Company lost no time in attempting to maintain its legal rights of keeping other lottery companies from doing business. Its first attack was on January 2, 1869, against Dave C. Johnston, agent for the Alabama Mutual Aid Association, by obtaining an injunction in the Fifth District Court of the Parish of Orleans, restraining that company or its agent from selling lottery tickets.[19] A compromise was made, according to Johnston's own admission in 1878,[20] and Johnston's advertisement again appeared in the newspapers of February 27, 1869,[21] only to be discontinued two days later when the Louisiana State Lottery Company began its series of daily advertisements announcing its monthly drawings. In later years Johnston became an employee of the Company.[22]

Another instance was in 1871, when the Company restrained A. Richoux *et als.* from vending Havana and other lottery tickets. The defendants' plea, that Act No. 25 of 1868 was unconstitutional since its title did not express the objects of the Act, was overruled by the court.[23]

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[16] New Orleans *Republican*, January 2, 1869.
[17] *Ibid.*
[18] *Ibid.*, January 1, February 1, 1869; *Daily Picayune*, January 3, 1869.
[19] *Republican*, January 1, February 1, 1869; *Daily Picayune*, January 3, 1869.
[20] *Democrat*, February 21, 1878.
[21] *Times*, February 27, 1869.
[22] Marshall Cushing, *The Story of Our Post Office*, 555.
[23] "Lottery Co. *v.* Richoux" 23 *Louisiana Annual*, 743.

The Company was put on the defensive in 1871 when the City of New Orleans demanded licenses to the amount of $2,500. The claim was made that Act No. 25 of 1868 was unconstitutional because it infringed the principle of equality and uniformity in the matter of imposing taxes. The court held that "the power of a State Legislature to impose what it knows as a commutation tax is a well-recognized power."[24] This court decision absolved the Company of all liability to pay taxes or licenses other than the $40,000 to the state. A similar case was again decided in the Company's favor in 1886.[25]

No statements in the press of that time indicate the scheme of the early drawings, but the monthly drawings were advertised in detail. During the early years of its existence the Company varied the schemes of its drawings.[26] Prices of tickets were for "whole" tickets. It was customary to sell fractional parts, however, so that the price would be within the reach of all. By 1875 the Company was also featuring approximation prizes, which were consolation prizes to those whose ticket numbers bore a resemblance to the numbers that won the large prizes.[27] The

[24] "Lottery Co. *v.* City of New Orleans," 24 *Louisiana Annual*, 86.

[25] "New Orleans *v.* Houston," 26 *United States*, 1.

[26] The following table, compiled from the newspaper advertisements of the years listed, is comprehensive enough to give an idea of how great were the variations in the schemes:

Date	*Capital Prize*	*Number of Prizes*	*Value of Prizes*	*Number of Tickets*	*Price of Tickets*
1869					
Mar. 27	$ 50,000	600	.....	32,000	.....
Apr. 24	20,000	255	.....	10,000	.....
May 15	25,000	254	.....	10,000	.....
1874					
June 11	100,000	.....	$ 522,500	100,000	$ 10.00
1875					
June 12	20,000	446	75,500	10,000	10.00
Dec. 25	100,000	3850	502,500	.....	50.00
1876					
Dec. 4	50,000	2865	267,900	20,000	20.00
1877					
Jan. 2	15,000	.....	.....	.....	1.00
Feb. 6	25,000	5022	111,100	40,000	5.00
Mar. 6	40,000	4763	222,900	40,000	10.00
Apr. 3	20,000	1687	62,650	100,000	1.00
May 1	30,000	1857	110,400	100,000	2.00
June 5	100,000	11279	522,500	100,000	10.00
1878					
June 11	100,000	11279	522,500	100,000	10.00
Oct. 8	30,000	1830	105,000	.....	2.00
Dec. 10	100,000	11279	522,500	100,000	10.00

[27] The approximation and terminal prizes were determined from the winning numbers of the two capital prizes. A concrete illustration will explain this: At one of the monthly drawings in 1890, #65,422 won $300,000, #14,670 won $100,000 and #18,195 won $50,000. The one hundred numbers from #65,372 to #65,472, inclusive, being fifty numbers on each side of the capital prize number, each won $500. Likewise, #14,620 to #14,720 inclusive, each won $300; while #18,145 to #18,245 inclusive, each won $200. The 999 numbers ending in the figures "22", being the last two figures of the first capital prize number, each won $100, as did also the 999 numbers ending in the figures "70".

semi-annual drawings were given such high-sounding names as "Grand Golden," "Grand Extra," and "Extraordinary."[28]

The "Extraordinary Drawing" on June 5, 1877, was held under the immediate supervision of Generals P. G. T. Beauregard and Jubal Early.[29] Just before the drawing took place, a statement was read from these ex-Confederate Generals testifying to the fairness of the drawings. The day after they had supervised the June 11, 1878, drawing, these commissioners issued a statement "To the Public." It read: "We will state that if, in the drawing we have supervised, it has happened that most of the large prizes have been drawn by the Lottery Company itself, it is owing to the fact that not near half of the tickets have been sold."[30]

The Company was very fortunate in getting Beauregard and Early to serve as commissioners. The names of these two generals carried much weight. The services rendered to the Confederacy in the Civil War by these two soldiers were so distinguished as to place them in the minds of the public only one degree below that occupied by Robert E. Lee. In the South General Beauregard was looked upon as the soul of honor, and so long as he lent his name to the concern there was no doubt about the integrity of the affair. General Early's influence was equally good, and his name carried prestige far North.[31] Beauregard and Early were in straitened circumstances in the aftermath of the War, and they gladly accepted the Lottery Company's offer. Each received a handsome salary, said to have been $30,000 a year.[32] Beauregard defended his acceptance of the commissionership on the grounds that since the Company was licensed by law to operate, he was doing but a public service in seeing that honesty was preserved at the drawings.[33] The Company's reputation for the "squareness" of its drawings doubtless made the Lottery tolerated as long as it was.[34]

That the influence of the lottery drawings showed its bad effects in the early days of the Company's history would seem to have been indicated by the report of a New Orleans grand jury in 1872 that lotteries were "*contra bonos mores*." Whether

[28] *Daily Picayune*, June 4, 1877.
[29] *Ibid.*
[30] *Ibid.*, June 13, 1878.
[31] Chicago *Sunday Record-Herald*, February 24, 1907.
[32] *Ibid.* Other writers give the salaries as $10,000 each.
[33] Henry E. Chambers, *History of Louisiana*, II, 705.
[34] *Sunday Record-Herald*, February 24, 1907.

the press felt that the evil complained of by the grand jury was not sufficiently grievous or whether the Company was in good favor in general at that time cannot be determined; but "it is a remarkable coincidence that the press at that time, with one exception, undertook and executed the suppression of this lottery paragraph, substituting for it a line of stars."[35]

The activities of the Lottery Company aroused the New Orleans grand jury, in April 1875, to include in its report a request that the state legislature repeal the lottery law.[36] In the December report of the grand jury to the Superior Criminal Court another strong denunciation of the Louisiana State Lottery Company is found. That report asked the Attorney General to subject to a judicial investigation the Lottery Company's claim of having a legal existence.[37]

A desperate attempt was made in 1874 to incorporate another lottery company in opposition to the existing one in Louisiana. Arthur Antoine of St. Mary Parish introduced in the House a bill "to create a revenue, to provide for the disposition thereof, and to incorporate the New Orleans Lottery Company."[38] The bill provided that the company should have a capital of $1,000,000, divided into 1,000 shares, and that it should pay to the state $40,000 annually for the benefit of the public school fund, the Charity Hospital, and the Insane Asylum. The bill passed to its third reading and was made the special order of the day for February 25. On that day there was great excitement in the Legislature. Some members claimed that it was unconstitutional to license a new lottery company, the state having chartered the Louisiana State Lottery Company. On the other hand, it was alleged that sixty-eight affidavits had been made charging members of the Legislature with having obtained money from the Louisiana State Lottery Company to advocate its privileges. The whole matter was deferred from hour to hour until the adjournment of the House left the measure stranded.[39] Indications point here to another Louisiana State Lottery Company triumph in thwarting its enemies.

In order to make itself secure in its rights, the Lottery Company succeeded in having enacted into law two acts, the attempted

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[35] *Democrat*, December 26, 1875.
[36] *Ibid.*, December 19, 1875.
[37] *Ibid.*, December 26, 1875; June 5, 1878.
[38] *Daily Picayune*, February 25, 1874; *Republican*, February 25, 1874.
[39] *Daily Picayune*, February 26, 1874.

enforcement of which brought about legal battles and in one case almost necessitated the calling out of the state militia. These acts (Nos. 9 and 10 of 1874) were designed to forestall any attempts to sell foreign lottery tickets in New Orleans.[40]

A study of the legislative proceedings on the bills which became the acts above referred to shows what little difficulty the Company had in getting the bills enacted into law. This would seem to confirm the oft-stated opinion that the Company had in its power every Louisiana Legislature from 1868 to 1892.[41] House bills Nos. 38 and 39 (which later became Acts Nos. 9 and 10) were introduced on January 14, 1874, by E. W. Dewees of Red River Parish, and were referred to the Committee on Corporations. The Committee reported favorably on January 23, and, on motion of the chairman of the committee, the bills were ordered engrossed and passed to third reading under suspension of the rules. The House vote on No. 38 was 74 to 14, and on No. 39 it was 82 to 11. In the Senate an effort to dispense with the readings failed; but the bills passed the Senate in due time, each by a vote of 22 to 11.[42] Neither bill was signed by Governor William Pitt Kellogg.[43]

Act No. 9 was relative to the unlicensed sale of lottery tickets in the city of New Orleans and empowering the police courts to suppress the same. It provided a penalty of $25 for each offense, one-half of which was to go to the informer. Act No. 10 made the selling of illegal lottery tickets or the drawing of illegal lottery tickets a misdemeanor. It provided a penalty of imprisonment of from ten to thirty days and a fine of from $50 to $200 for each offense, and made a proof of sale sufficient evidence for conviction.[44]

The success of the Company in having these two acts passed made its promoters feel secure in their rights. Such was the opposition to the growing evils of the lottery and to the idea of giving the Company additional power through the incorporation of such legislation, however, that the Legislature of 1876 had to consider three bills on the subject: (1) to repeal the Company's charter; (2) to repeal Act No. 9 of 1874; and (3) to investigate charges of bribery by the lottery interests in 1868.

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[40] *Louisiana Acts*, 1874, pp. 47-49.
[41] Natchitoches *People's Vindicator*, July 6, 1878; New Orleans *New Delta*, May 27, 1891.
[42] *Louisiana House Journal*, 1874, *passim*; *Louisiana Senate Journal*, 1874, *passim*.
[43] *Louisiana Acts*, 1874, pp. 47, 49.
[44] *Ibid.*, pp. 47-49.

On January 17, 1876, Edward Booth introduced a bill to repeal Acts No. 25 of 1868 and No. 9 of 1874. This bill was referred to the Committee on the Judiciary.[45] In time, the bill passed the House; but it was never acted upon in the Senate.[46] Three weeks after Mr. Booth's bill had been introduced, R. R. Ray of East Feliciana introduced a similar bill.[47] The opponents of the bills claimed that the lottery charter was a contract, the legality of which the courts should decide, and claimed that Mr. Ray's bill was unnecessary, it being so similar to that of Mr. Booth. The whole question gave rise to a rather animated discussion and to much filibustering. After much debate as to whether Mr. Ray's bill should be referred to the Committee on the Judiciary or to the Committee on Corporations, the House adjourned for the day without action.[48] While the House was debating Mr. Ray's bill, notice of a suit—Benjamin Wood *vs.* Charles T. Howard, entered in a New York court—was read into the House record.[49] It was claimed that the object of introducing this matter to the House was to show that the incorporators of the Lottery Company had "gone back" on some of its partners. Mr. Booth answered that the suit was to show that money had been used to procure the charter.[50] Mr. Booth followed this by presenting a resolution for the appointment of a committee to ascertain whether members of the Legislature of 1868 had received bribes to incorporate the Louisiana State Lottery Company. [51] Nothing came of the resolution, however.

In the Benjamin Wood suit, the petitioner alleged "that Charles H. Murray, John A. Morris, T. E. Simmons and others were owners and proprietors jointly and as in nature of part owners and tenants in common, of certain franchises and interests commonly known and described as lottery grants under and by virtue of acts of the Legislatures of the States of Mississippi, Missouri, Kentucky, Virginia, etc., that said lottery grants were divided into 120 equal shares, and that lotteries were conducted in the name of C. H. Murray & Company, that the said company had a branch office in the city of New Orleans under the charge of Charles T. Howard." The petitioner further alleged that "while managing said lotteries in August 1868, as agent in and

[45] *Louisiana House Journal*, 1876, p. 51; *Democrat*, January 18, 1876.
[46] *Louisiana Senate Journal*, 1876, *passim*.
[47] *Louisiana House Journal*, 1876, p. 160; *Democrat*, February 10, 1876.
[48] *Democrat*, February 10, 1876.
[49] *Ibid.*, February 11, 1876; *Louisiana House Journal*, 1876, p. 162.
[50] *Democrat*, February 11, 1876.
[51] *Ibid.*, February 12, 1876.

for the State of Louisiana, Charles T. Howard and John A. Morris did acquire and obtain from the State of Louisiana certain lottery grants, etc., that large sums of money were paid from the funds and business of the firm of the said C. H. Murray and Company and from moneys belonging to petitioner to secure said grants; that petitioner is unable to state the amounts of such money so expended as said Howard and Murray kept no account of same; that said Howard, Murray and Company have appropriated the profits and receipts of said Louisiana Lottery Company to their own use." Wood asked that the defendants be compelled to make a full statement of all the business of said Louisiana Lottery Company and of the receipts and profits of same, in order that he as petitioner might be adjudged and decreed his proper share and interest, which he claimed was 32½ aliquot shares. In answer to Wood's petition, the Louisiana Lottery Company alleged "that said Wood is not a partner in its business; that said Wood bears such a character that intervenor's business would be greatly injured were he decreed a partner, and that the claim of Benjamin Wood *vs.* C. T. Howard *et als.* is a personal matter between them and has no connection with intervenor."[52] According to an article written twenty-five years after the suit was filed, "the suit was dismissed on the exception of Morris that lottery gambling was contrary to good morals and could not be adjudicated upon by a court of justice,"[53]

Another case that challenged the Lottery Company's methods of doing business was that of Henry Da Ponta who sued the Company. Da Ponta's averment was that he owned sixty shares of stock in the Company; that at the first meeting of the board of directors the directors appropriated to themselves 850 shares each of the capital stock, said stock being represented as full-paid stock, although no money whatever was paid for it; that the amount of stock so appropriated was 6,800 shares; that the remaining 3,200 shares of stock were taken and distributed by the Company or by Howard as full-paid stock to divers persons unknown to Da Ponta, the distribution "having been made for unauthorized, illegal and corrupt purposes." Da Ponta claimed that about $3,000,000 had been netted since the Company came into existence, and that the president and directors had accounted to the institution for only one-half of that amount. Da Ponta charged that Morris and Howard and other officers had "caused

[52] *Ibid.*, February 11, 1876.
[53] John C. Wickliffe, "The Louisiana Lottery," in *Forum*, XII (1892), 569.

to be paid out of the funds of said corporation large sums of money to persons who had no right to receive them, and to whom the company was in no wise legally indebted;" and that "the said sums were paid for corrupt and illegal purposes, such as bribing members of the Legislature of the State of Louisiana and other State officials, and other purposes" to an amount in excess of $300,000.[54] The case "was never tried but was settled amicably out of court, and Morris's plea has been stolen from the record."[55]

The police courts in New Orleans were kept busy in 1878, trying cases of persons accused of violating Act No. 9 of 1874. Many cases were brought before the Recorders and almost as many convictions returned. The punishment of imprisonment without benefit of habeas corpus if one was unable to pay the fine, as it was interpreted by the Recorders, brought about near rebellion in New Orleans, especially in the Agusti case. The sitting in this case is said to have been one of the most imposing scenes that ever occurred in the civil history of New Orleans because four Supreme Court justices—Tissot, Monroe, Rogers and Rightor—sat with Judge Houston in open court "to sustain by their moral countenance the dignity of the Fourth District Court and indorse the action taken in the premises by the Honorable Judge."[56]

Agusti, an agent of the Havana Lottery Company, was arrested for violating Act No. 9 of 1874. Judge W. T. Houston of the Fourth District Court for Orleans Parish ruled that Act No. 9 was unconstitutional, and released the prisoner.[57] Recorder Smith then had Agusti re-arrested, and had Judge Whitaker of the Superior Criminal Court to issue a mandamus to Sheriff J. D. Houston not to release Agusti, "any proceeding in any other court in the premises notwithstanding;" whereupon A Sambola, counsel for the accused, obtained a summary writ of habeas corpus, and the attorney went to the prison to get Agusti. Sheriff Houston, brother of the judge by that name, refused to surrender the prisoner. The Sheriff was then committed to prison for contempt of court, but was later released.[58] Then Judge Houston again sustained the writ of habeas corpus and discharged the prisoner. From that decree Sheriff Houston appealed and alleged an interest to the extent of $500. The Supreme Court held

[54] *Democrat*, May 23, 1876.
[55] Wickliffe, *loc. cit.*, XII, 574 ff.
[56] *Democrat*, May 30, 1878.
[57] *People's Vindicator*, June 8, 1878.
[58] *Democrat*, May 30, 1878.

that it was without jurisdiction, and that Houston had no interest to entitle him to an appeal.[59] There was talk of Judge Houston calling upon Governor Nicholls to call out the militia.[60]

The case brought about a terrific newspaper controversy, the *Democrat* assailing the Lottery Company and Act No. 9 of 1874, and charging that the *Picayune* and the *Times* were wholly in the clutches of the Lottery Company.[61] The *Picayune* argued that the entire question should be discussed dispassionately, that it was a "question for lawyers to discuss and for judges to decide," and that "it would be supremely ridiculous to inaugurate a civil war to decide a question of law."[62] After Agusti was released, however, the *Picayune* stated editorially, "we do not hesitate to say, therefore, that we regard Act No. 9 as a solecism on our criminal jurisprudence, and as an excrescence on our statute books, which, constitutional or not, ought to be promptly removed."[63]

The Geale case was another one that challenged the constitutionality of Act No. 9 of 1874. In 1878 Herbert Geale applied for a writ of certiorari against a Recorder, it being contended that the Recorder had no judicial authority. The Supreme Court ruled: "We cannot grant the relator the relief by a writ of certiorari to bring up the proceedings of the recorder, to the end that inquiry of their validity be made, because of our want of constitutional power to exercise the jurisdiction." Further, "We are urged to interpose to prevent the infliction of a grave wrong and flagrant public injury, but it would be a graver injury if this court should overstep the bounds set up by the organic law within which it must move for the purpose of correcting an evil, no matter how flagrant."[64] Thus the Court admitted that while the act bordered on tyranny it was within the constitution. A similar case was decided in the Lottery Company's favor in 1882.[65]

Daily drawings became a target as early as 1878. Many people believe that these daily drawings were a principal factor in bringing about the abolition of the Lottery. In 1878 it was claimed by the *Democrat* that there was a marked falling off in

[59] "State ex rel. Agusti *v.* Houston," 30 *Louisiana Annual*, 1174.
[60] *Democrat*, May 29, 30, 1878.
[61] *People's Vindicator*, June 8, 1878.
[62] *Daily Picayune*, May 31, 1878.
[63] *Ibid.*, June 1, 1878.
[64] "State ex rel. Geale *v.* Recorder," 30 *Louisiana Annual*, 450.
[65] "State ex rel. Agusti *v.* Louisiana Lottery Co. et al.," 34 *Louisiana Annual*, 504.

daily drawings. That newspaper claimed that one's chances of winning when 78 numbers were put into the wheel were 1 in 76,076, and 1 in 67,525 when 75 numbers were deposited. One of the demoralizing features of the daily drawings was the printed tickets costing twenty-five cents each. The player chose three numbers. If one number on the ticket he selected was included in the three numbers on the winning ticket, the holder would get twenty cents, although the ticket cost twenty-five cents.[66] This was simply a scheme to get the holder to play again for an additional nickel.

In the hope of bringing the Louisiana Lottery Company into disfavor, its opponents waged an attack in 1878, charging that the Lottery Company had not established a just proportion between the terms and prices of its tickets and the prizes drawn.[67] It was further charged that prizes were smaller than in Italy, France, Austria and Bavaria where the Genoese system was also in operation.[68]

Under the law in existence before Act No. 25 of 1868 was passed, the state licensed lottery agencies by providing that each lottery agency should pay a license of $10,000 and five percent

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[66] *Democrat*, June 6, 1878.

[67] *Ibid.*, March 14, 1878. Following is a table that averred to make comparisons between the rates of the Louisiana Lottery Company and those of other companies in the United States:

		Gigs		*Saddles*		*Day Number*		*Cap. Saddles*	
	Ballots	*La.*	*Other*	*La.*	*Other*	*La.*	*Other*	*La.*	*Other*
Monday	75-12	$150	$225	$24	$32	$4½	$5	$300	$500
Tuesday	78-13	145	200	22	32	4	5	300	500
Wednesday	75-14	120	150	20	24	4	5	300	500
Thursday	78-12	170	225	25	34	5	5	300	500
Friday	75-11	190	300	25	36	5	5	300	500
Saturday	78-13	145	200	22	32	4	5	300	500

The above is based upon $1 invested. Thus it will be seen that when the Louisiana Lottery pays $150, $24, $4.50, and $300, honest and just lotteries pay $225, $32, $5, and $500.

Author's Note: A gentleman who had been one of the collectors for the Louisiana State Lottery Company explained the table to the writer in 1928. According to that man's recollection, one could put a "gig" or "saddle" on his ticket by paying an extra dollar. On Mondays the numbers 1 to 75 were put into the wheel and 12 were drawn therefrom. A player could write his ticket, or combination of numbers. He could play either one number, called a day number, or three numbers. If he chose the latter, he won a "gig" if the three numbers selected by him were drawn in any order from the wheel; a "saddle", if any two numbers were drawn; and a "capital saddle", if two of his numbers were included in the first three drawn from the wheel.

Another explanation of "gigs" and "saddles" is given in Chapter IV of this article.

[68] The following table makes a comparison:

Name of Lottery	*Number of Tickets*	*Number of Prizes*
Hamburg (Biennial since 1741)	85,000	46,200
Royal Saxon (Dresden since 1831)	100,000	50,000
Ducal (Brunswick-Luneburg)	85,000	44,000
Louisiana	100,000	1,269

Foreign lotteries pay back in prizes all money paid in less 15%; the Louisiana Lottery Company keeps 47¾%.

(*Democrat*, June 16, 1878.)

of the gross receipts from ticket sales. Under this law the Louisiana Lottery Company would have paid in 1878, it was claimed, $80,000 plus five percent of its gross receipts.[69] This was advanced as an argument to show that the Act 25 of 1868 was not advantageous to state finances.

The Lottery Company, its objects and methods being challenged and attacked in the Legislature, in the press, and even in other states, launched a series of strokes to become a favored institution in the eyes of the public and at the same time to wreak vengeance upon its opponents. In the early part of 1878 it got Beauregard and Early to issue the following statement in its defense:

> As to the objection that the Louisiana State Lottery Company is a monopoly, we do not see that it is a very serious one, but are of the opinion that it is for the better that the charter confers a monopoly. If lotteries are all great evils, then it is better that they should exist as monopolies than that the right to conduct them should be general.[70]

During the same month the Company entered a $25,000 libel suit against Albert C. Janin, editor of the New Orleans *Democrat*, because that paper had just used the expression, "Howard and his brother thieves," and had stated, "We shall not be surprised to see some fine morning the Lottery Company's imposing palace of vice torn down by a band of resolute citizens and Howard and his pals treated to a short shift and long rope."[71] Later, additional suits were entered against the same newspaper, so that by December 1878 the claims for damages aggregated $90,000.[72] Then, in August of the same year, a New Orleans grand jury made a report that the State Printer, George W. Dupre, had overcharged the state for work done. Dupre was connected with the *Democrat*, and that paper claimed that the Lottery Company was responsible for the charges.[73] (An interesting account of the Company's retaliation against the State Printer will be told in a subsequent chapter.)[74] Finally, in the same year, the Company made an attempt to interfere with lottery drawings in Kentucky, when R. H. Wilde swore an affidavit against the Commonwealth Distribution Company. Wilde lost out in his at-

[69] *Democrat*, March 14, 1878.
[70] *Daily Picayune*, March 10, 1878.
[71] *Democrat*, May 15, 1878.
[72] *Ibid.*, December 20, 22, 1878.
[73] *Ibid.*, August 1, 12, 1878.
[74] Chapetr III, *below*.

tempt and was arrested on a perjury charge. It was claimed that the Louisiana Lottery Company was trying to establish a monopoly in Kentucky and was trying to fight the opposition which was responsible for having succeeded in ridding New York and Philadelphia of the Louisiana Lottery and its agents by police raids.[75]

Considerable agitation for a constitutional convention showed itself over the state in the early months of 1878. In February of that year the Real Estate Owners' and Taxpayers' Union of New Orleans, Dr. C. H. Tebault, president, attempted to hold a meeting at Canal and Royal streets for the purpose of discussing the advisability of having a state constitutional convention. The meeting was broken up by rowdies, said to have been led by two or three ward bullies who were hired for that purpose by the Lottery Company.[76] The Lottery Company was charged with buying members of the Legislature to vote for the bill proposing constitutional amendments and against any measure providing for a convention.[77] These charges were never proven; but they did furnish ammunition for the press throughout the state to attack the Lottery Company.[78]

The issue in the Legislature of 1878 was the Lottery Company's charter. The first attack showed itself over the seating of members whose election was disputed. One of the contests for seats was between Souer and Barbin. Souer was seated; whereupon it was claimed that he was a tool of the Lottery Company and was sustained by the radicals in the Legislature. The only Democrats who voted to seat Souer were General Young and Paralta. Wilde did not vote. Paralta and Wilde were charged with being tools and agents of the Lottery Company; and it was recalled that General Young read a report sustaining the Lottery Company in 1876 when Edward Booth had introduced his repeal bill.[79]

The proponents of a constitutional convention argued that a new constitution was needed to replace the one then in force, that organic law having been framed by radicals in 1868.[80] Those

[75] *Democrat*, December 4, 1878.
[76] *Ibid.*, February 17, 1878.
[77] *Ibid.*, February 18, 1878.
[78] Led by the New Orleans *Democrat*, the Lake Charles *Echo*, the *Richland Beacon*, the Alexandria *Democrat*, the Minden *Democrat*, the New Iberia *Sugar Bowl*, the *St. Bernard Eagle*, the Columbia *Herald*, the *Morehouse Clarion*, the Opelousas *Courier*, the *Carroll Conservative*, the Lafayette *Advertiser*, and the *St. Mary Enterprise*—country newspapers representing the four sections of the state—either demanded a repeal of laws granting monopolies or insisted that a constitutional convention be held.
[79] *Democrat*, February 20, 1878; *People's Vindicator*, June 8, 1878.
[80] *Democrat*, August 3, 6, 1878.

opposing the call admitted certain inherent weaknesses in the constitution, but claimed that these could be remedied by a series of amendments. After much discussion and debate Hon. E. E. Kidd submitted a bill for calling a constitutional convention.[81] Action on the bill was postponed. Then the Legislature agreed upon twenty proposed constitutional amendments to be submitted to the electorate for approval or rejection on November 5, 1878.[82] At the special session, held later in 1878, the Legislature added one more amendment to be voted on.[83] The proposed amendments provided for reorganization of the judiciary, removal of the capital to Baton Rouge, and many other important matters. All the amendments were rejected by the people,[84] the vote being a mute testimony that the electorate wanted the constitution rewritten.

The official proceedings of 1878 show that on the motion to adopt as an amendment to the constitution, "the monopoly known as the Lottery Company created by Act No. 25 of the General Assembly of 1868 is hereby abolished," the vote was 58 yeas and 48 nays.[85] The vote lacking the necessary two-thirds majority for submitting a constitutional amendment to the people, the motion was lost.

The opponents of the Lottery Company, having failed to get the call for a constitutional convention approved and also in having the bill for the amendment abolishing the Lottery Company passed by the necessary vote, then decided to investigate the charge made by the New Orleans *Democrat* that improper means had been used to influence legislation in the House. Acting under resolutions of Charles E. Lea of St. Helena, the House appointed a special committee to investigate the charges. George W. Dupre, appearing before the committee, stated that as editor of the *Democrat* he had charged that the Lottery Company was exerting influence by the use of money. He told that one day "Governor Hahn said to him if he would go into the speaker's room he would see the influence that was working matters in favor of the constitutional amendments." He went into the room and saw Mr. Wilde, Mr. Gracien, Mr. Stewart and Mr. Drury. Later he met Mr. Souer who told him that the fate of the amendments was in the hands of Mr. Howard. Mr. Dupre then referred

[81] *Ibid.*, February 27, 1878.
[82] *Louisiana Acts*, 1878, pp. 119-126. (Acts Nos. 73 and 74.)
[83] *Ibid.*, p. 246. (Act No. 12. Extra Session.)
[84] *Democrat*, November 6, 1878.
[85] *Ibid.*, February 17, 1878.

to the Legislature of 1876, but was stopped by B. F. Jonas of the committee, who said that the resolution under which they were acting did not authorize them to go beyond that present Legislature in the investigation. Mr. Dupre then said that he could not prove judicially what he had charged. Charles T. Howard, being sworn, said that Mr. Wilde did not represent him in the Legislature; further, "I have not used improper means to influence legislation—I know of no money having been used this session."[86]

At another meeting of the House investigating committee ex-Governor Michael Hahn and George Gracien were witnesses. The former substantiated the statements imputed to him by Mr. Dupre, but said that he knew of no corrupt practices used by the Lottery Company or its agents towards any members of the Legislature. He told how Wilde and Souer were busy checking upon how many favored the constitutional convention, and said, "I would see Mr. Souer come out of the speaker's room and talk with the colored members, and then go back in the room."[87]

There is no doubt that money was used by the Lottery Company during the session of the Legislature in 1878; but no positive proof can be had.

In Mr. Dupre's statement before the House committee, which statement was ordered expunged from the record because it went back beyond that 1878 session of the Legislature, Mr. Dupre told that John A. Morris had told him that the *Democrat* should advertise the Lottery since the *Democrat* was then the official journal of the state. He also charged that Morris had "bought Senators Demais, Allain and Breaux, and Representative George Drury with two or three others, whom he styled a ring that Drury controlled." Dupre further claimed that Morris told him that the Lottery Company had spent large sums of money for the relief and support of the *Picayune* and the *Bulletin*. Dupre explained that the *Democrat* had postponed its fight against the Lottery Company for a time because it expected the House to pass a bill repealing the Company's charter, just as the preceding House had done, only to have the Senate postpone action by a *viva voce* vote; whereupon the *Democrat* renewed its fight.[88]

[86] *Ibid.*, February 20, 1878.
[87] *Ibid.*, February 22, 1878.
[88] *Ibid.*

Dupre's charges brought about denial and counter-denial from the *Picayune*, that paper claiming that it had never received any financial relief or support from Morris, Howard, or the Louisiana Lottery Company. The *Democrat* countered with the assertion that in 1873 Howard owned so much of the stock of the *Picayune* that when the managing editor began to attack the Lottery Company, Howard demanded that the attack be stopped and enforced his demand. Answering Dupre's charges against him, Breaux printed a letter from Morris stating that Dupre was "under an entire misapprehension; that he (Morris) had never had a conversation or business transaction with Breaux, directly or indirectly." Dupre claimed that Morris had told him that he had bought Senator Breaux and others, and that he (Dupre) could prove it.[89]

Lottery opponents argued that the Lottery Company was merely a licensed corporation and that nothing could prevent the state from refusing any longer to license it. It was contended that Howard's lottery charter was not a vested right, since the contract of 1868 was *ultra vires*.[90] Hoping that these arguments would carry over with the Legislature, John Fitzpatrick of New Orleans made two attempts to have a bill repealing the Lottery Company's charter enacted into law.[91] Fitzpatrick's first bill was voted down by a large majority in the House, while the second one was referred to the Judiciary Committee where it expired.

During the spring of 1878 dispatches from Washington indicated that vigorous measures were to be adopted to prevent the use of the mails to carry tickets and circulars of the Louisiana Lottery Company, by enforcing the penalties of the law of Congress on this subject. Mail matter was threatened with seizure at New Orleans, New York, St. Louis, Cincinnati, Memphis and other points where the Lottery did its heavy business.[92] The Lottery Company became alarmed and engaged counsel to dispute in the courts the constitutionality of the law. Ben Butler and Mr. Moulton, brother-in-law of the Secretary of the Treasury, were employed to make the Lottery's fight.[93] Toward the end of March, the case was under consideration by Attorney General

[89] *Ibid.*

[90] *Ibid.*, February 9, March 1, 7, 1878. Cases cited in support of the decision were: Phalen *v.* Va. (8 Howard, U.S.S.C.R.); Moore *v.* Mississippi (48 Miss. R.); Metropolitan Board of Excise *v.* Barrie (34 N.Y., 663).

[91] *Ibid.*, March 12, 1878.

[92] *Ibid.*, March 6, 1878.

[93] *Ibid.*, March 19, 1878.

Devens; and nine lawyers had been employed to argue the case on behalf of the Lottery Company.[94] Charles T. Howard was in Washington at that time, and was reported to have had interviews with President Rutherford B. Hayes and with the Secretary of the Treasury. It was believed that these men thought that Howard had great influence in Louisiana politics and that he could help work out some kind of conciliatory deal in Louisiana for the Republicans in return for which the Lottery Company would be undisturbed.[95] New York and Philadelphia papers agreed with the New Orleans *Democrat* that Howard was trying to inject the Lottery into national politics.[96] In April, a Mr. Hutchinson left New Orleans for Washington to secure the enforcement of the law denying lotteries the use of the mails. He was armed with a petition to the Postmaster General, signed by more than 3,000 citizens of New Orleans.[97]

Attorney General Devens rendered his decision in the Lottery cases in May 1878. He stated that it would be necessary to subject the suspected matter to a process of libeling under the form of law, the same as any other contraband matter. The intent of the Attorney General was characterized to be "to sustain the law but to prevent its enforcement."[98]

Attacks continued in an effort to have the Congressional law enforced. Appeals were made to Representatives in Congress from Louisiana to request the Attorney General and the Postmaster General to have the law carried out. In New York, Anthony Comstock had lottery mails seized in December 1878. This "practically closed the business of all the principal offices there."[99]

During the first decade of its existence the Lottery Company had some warm supporters but many violent opponents. The arguments favoring the institution centered themselves chiefly about one point—the revenue it gave to the state. One glowing tribute to the beneficent effects of the Lottery follows:

> Enough that we have called attention to two points: (1) That the cornucopia was the ancient emblem of Louisiana; (2) That the cornucopia, modernized into the lottery-wheel, has poured out more blessings upon the church, the school-house, the hospital and the highway, in the early as in the later life of Louisiana, than have come in the same period from any other source.[100]

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[94] *Ibid.*, March 21, 1878.
[95] *Ibid.*, April 2, 1878.
[96] *Ibid.*, April 16, 1878, quoting the Philadelphia *Times*, April 11, 1878.
[97] *Ibid.*, April 20, 1878.
[98] *Ibid.*, May 5, 1878.
[99] *Ibid.*, May 8, 1878.
[100] A Louisianian, *The Cornucopia of Old, the Lottery Wheel of the New*, 12.

The chief argument against the Company was that it was a great political evil. It was said to be stronger than the "Tweed ring" in New York.[101] Howard was accused of controlling the New Orleans police and of ordering them around like servants.[102] The Lottery Company was claimed to have no political theory save the preservation of its own existence; that it was a creature of Radicalism that had swung over to the Democrats when it saw that the Radicals were doomed.[103] In answer to this argument, the Lottery Company's defenders maintained that the Company had no more interest in politics than any other corporation had; and that it would protect itself, just as a railway corporation would, for example, but would not try to dominate politics.[104] These defenders asserted that it was an insult to the people to have it said that they could be bribed by the Lottery Company's money.

Other arguments against the concern were used. The fact that it was a licensed gambling enterprise shocked the moral element. The small chance of one's winning was brought out:

> The man who buys a ticket every day at every drawing will have only one chance in 84 years to draw even the $243.35 prize. Old Methusaleh himself had he bucked up against the lottery from his earliest childhood to the day of his death and bought a ticket every day, would have found himself winner of $2678.85 after having spent about $250,000 on the lottery.[105]

Howard's alleged control of the press was cited to show the Company's power. It was stated that Howard had lent money to the *Picayune* in 1875 and therefore controlled its policy.[106] It was further said that the country newspapers that advertised the Lottery drawings were paid so well for the space that they dared not oppose the Company. Some papers, however, that ran the advertisements were anti-lottery, and justified the advertisements as a business transaction and claimed that they had not sold their opinions or silence to the Lottery Company.[107]

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[101] *Democrat*, February 28, May 6, 1877.
[102] *People's Vindicator*, June 15, 1878.
[103] *Democrat*, June 9, 1878.
[104] *Daily States*, May 26, 1890.
[105] *Democrat*, June 2, 1878.
[106] *Ibid.*, May 24, 1878; *Daily Picayune*, February 24, 1878.
[107] *People's Vindicator*, Jan. 11, 1879.

A strong denunciation that in general summarizes the feeling against the Company follows:

> Ever since its institution it has been a nuisance stinking in the nostrils of all good men. It had its origin in the corruption of a corrupt legislature—a legislature of thieving aliens, ignorant and debased negroes, and the depraved of our own people.
>
> The free use of money among this seething mass made the lottery a law, and its projectors damned themselves into still lower depths, if possible, by riding it on the hobby of charity. Every sensible man saw at once what a dangerous political engine had been established among us. Indeed, its projector has more than once been heard to say: "Give me the monopoly of the wheel in Louisiana and I'll rule the State." And he does it.[108]

CHAPTER III

THE STRUGGLE OF 1879

Introduction—Act No. 44 of 1879—The Company defends itself—Louisiana politics of 1877—Judicial decisions—The Constitutional Convention—Article 167—Ratification of the new Constitution—Supreme Court ruling—Power of the Company—The semi-annual drawings of 1879.

Probably the three most critical years in the history of the Louisiana State Lottery Company were 1868, 1879 and 1890. The birth of the Company took place in the corrupt Legislature of 1868. That story has been told in a previous chapter. State legislation that encouraged the lotteryites to hope for a recharter through a constitutional amendment, and Congressional legislation that made it difficult for the Lottery Company to use the mails for their business were enacted in 1890. This legislation will be treated in full in succeeding chapters. The year 1879 saw the Lottery Company deprived of its charter by the Legislature, witnessed a victory of the Company in the courts by a decision that nullified the Legislature's Act, and gave to Louisiana a new Constitution which legalized the Company's existence until 1895. The story of these events of 1879 will be told in this chapter.

Lottery history for 1879 began with the meeting of the General Assembly in January, when, on the third day of the session, Louis Arnauld of Orleans introduced House Bill No. 20, which eventually became Act No. 44 of 1879.[1] The bill was referred to

[108] *Ibid.*, June 1, 1878.
[1] *Louisiana House Journal*, 1879, p. 24.

the Committee on Judiciary, which reported favorably, by majority, on a substitute bill which was placed on the calendar as House Bill No. 103. On its third reading, January 18, the vote was 64 to 20 in favor of the bill.[2] The Senate concurred, after amending it so that the law would become effective on March 31, 1879, instead of "at once." This vote, on January 30, was 19 to 17. The "nays" were cast by seven Democrats and all the Republicans in the Senate.[3] The House concurred in the Senate amendment by a vote of 73 to 15.[4] The bill was then sent to the Governor who approved it on March 27, 1879.[5]

Act No. 44 of 1879 was a vain attempt to abolish lotteries in Louisiana. Section 1 repealed Acts No. 25 of 1868 and Nos. 9 and 10 of 1874. Section 2 abolished the Louisiana State Lottery Company. Sections 3 and 4 provided penalties for violation of the Act: Sixty days' imprisonment or a $100 fine, or both, one-half of the fine going to the informer and the other half to the city of New Orleans or to the Parish in which the offense was committed. Section 5 declared the only evidence necessary for conviction was a ticket, and not a proof of a lottery. The last section made the Act effective on March 31, 1879.[6]

Discussions on the merits of the bill brought out the usual arguments. The lottery supporters in the Legislature argued that "the enactment thereof as law would be violative of the constitutions of the United States and of this State, and would be against the welfare of the most cherished institutions of the State and against the general public policy."[7] Those favoring the bill compared the Lottery to a malignant cancer, and maintained the right of the Legislature to repeal any act that was *contra bonos mores*.[8]

While the Legislature was discussing the lottery bill, the Lottery Company evidently became alarmed and defended itself in a series of statements printed in the New Orleans *Times*. It having been charged that ex-Governor Warmoth had admitted that the Lottery Company was engaged in state and local politics and had switched from the Republicans to the Democrats when the latter came into power,[9] the Company, through its president,

[2] *Ibid.*, pp. 50-51, 59, 60, 65.
[3] *Louisiana Senate Journal*, 1879, pp. 58-59, 67, 74, 90-91, 118-119; *Democrat*, January 31, 1879.
[4] *Louisiana House Journal*, 1879, pp. 135-136; *Democrat*, February 1, 1879.
[5] *Louisiana Acts*, 1880, pp. 5-7.
[6] *Ibid.*, for text of Act No. 44 of 1879.
[7] *Louisiana Senate Journal*, 1879, p. 90, for Minority Report of Committee on Judiciary.
[8] *Ibid.*
[9] *Democrat*, January 18, 1879.

M. A. Dauphin,[10] entered a general denial, but declared that its interference had "been limited to two instances: (1) to elect John McEnery and his associates on the Fusion ticket in 1872; (2) in 1877, to break up and peacefully disperse the Packard government and absorb his pretended Legislature in that of Governor Nicholls." Dauphin denied that the Lottery Company had ever assisted in maintaining the Packard government.[11] It having been claimed that the Lottery Company had participated in politics by having the Negro Radical, DeJoie, elected to the House of Representatives in 1878 over the Democrat, Ferguson, and by having tried to get Burch to run for the State Senate from the Baton Rouge District.[12] The Company answered that these statements were of no importance, and that, as to Senator Burch, the incident was "only one of a thousand similar slanders."[13] Answering the argument that lotteries were a moral evil, the Company asserted that saloons were more injurious to public morals, health, peace and order. It boasted that Jefferson, Marshall, and others of our early Fathers, had sanctioned lotteries,[14] and that the Legislature of 1868 "included all the present leading chiefs of the party."[15]

It having been stated that the Lottery Company had offered a $1,000 bribe to any anti-lottery senator who would absent himself from voting on House Bill No. 103, and "had tried to engage the services of Senator Ducros, with a cash fee of $1,000, to try a murder case in Bay St. Louis—this to have Ducros absent when the vote came up in the Senate,"[16] the Company denounced these charges of attempted bribery as being falsehoods, and concluded:

> "Can it be possible that honorable senators, gentlemen of high political and social standing, can be influenced by such emanations of malignancy, by the howlings of such partisan ingrates and personal enemies, to surrender their manhood and violate the faith of the State towards a corporation which has so faithfully performed all its obligations, and on the maintenance of which the State is so largely dependent for the support of one of its most needed and valuable institutions, and so many of its people for their means of subsistence and the security of the investment of their capital—invested on the faith of a solemn grant and contract of the State?"[17]

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[10] Dauphin had succeeded Howard as president of the Company in 1876.
[11] *Times*, January 21, 1879.
[12] *Democrat*, January 22, 1879.
[13] *Times*, January 23, 1879.
[14] *Ibid.*, January 26, 1879.
[15] *Ibid.*, January 25, 1879.
[16] *Democrat*, January 29 ,1879.
[17] *Times*, January 30, 1879.

The passage of Act No. 44 by the Legislature in January, 1879, did not end the arguments in the press, because Governor Nicholls did not sign the bill at once. Under the Constitution of 1868, the Governor could hold an act of the Legislature in his pocket for twelve months.[18] Hence, opposing forces became busy in the hope of influencing the Governor's action. A committee of five New Orleans bank presidents waited upon the Governor on February 6, and urged him not to approve the Lottery repeal Act on the ground that it would prevent the further drawing of the city's premium bonds. Governor Nicholls' reply was not made public, but the Lottery press stated that "Indications are that he will not sign the bill."[19] It should be remembered that the New Orleans banks, for business reasons, favored the Lottery Company. Those supporting the Legislature's right to enact the anti-lottery law quoted a United States Supreme Court decision: "We are not prepared to admit that it is competent for one legislature, by any contract with an individual, to restrain power of a subsequent legislature to legislate for the public welfare, and, to that end, to suppress any and all practices tending to corrupt the public morals."[20]

Governor Nicholls signed the bill on March 27, 1879. The antis were jubilant, while the pros accused Nicholls of having broken faith. As has been already told, the Lottery Company admitted that it had entered politics in 1877 to overthrow Packard. The story of the deal was now made public. According to one account, a committee from Nicholls' headquarters waited on Howard to "ask for his money and influence in behalf of the 'good cause'." The committee pledged its faith never to attempt, by future legislation, to abridge, curtail or divest the Lottery Company of its rights granted under its charter. Howard referred the committee to Morris who gave the committee several thousand dollars. Later, $34,000 more was given the committee. "This money, it is claimed, was the instrument by which a quorum of both houses in the legislature, that is a quorum returned by the returning board, was transferred from the St. Louis Hotel under Packard to Odd Fellows' Hall under Nicholls." Nicholls' act in signing the law was called an "exhibition of punic faith."[21]

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[18] *Louisiana Constitution*, 1868, Article 66.

[19] *Times*, February 7, 1879.

[20] From "Boyd *v.* Ala.," 4 *Otto*, 650—U. S. Supreme Court, quoted in *People's Vindicator*, February 8, 1879.

[21] *Times*, March 29, 1879.

Another account, purporting to give an "inside" history of the Company's financial assistance to the Democrats, claims that the Packard men were bought outright and "at very high prices," at a total cost "amounting to nearly or quite $250,000."[22] It is thus fair to believe that Lottery money was used to help defeat Packard and to install Nicholls, even though one theory was that Louisiana was delivered of Packard's tyranny by the incidents of September 14, 1874, and January 9, 1877[23]—and not by Howard's money.[24]

Undaunted by their failure to prevent the Legislature from passing the bill which abolished the Lottery, and unwilling to surrender after Governor Nicholls approved the act, the Lottery Company sought relief in the courts. When the State Auditor refused to accept from the Lottery Company the quarterly payment on April 1, 1879, on the ground that the Act approved on March 27, 1879, had repealed the Company charter, the Company had its counsel—John A. Campbell, Thomas J. Semmes, and Joseph P. Horner—ask Judge Billings of the United States Circuit Court to issue a restraining order; and the Judge issued the order.[25] Attorney General H. N. Ogden ruled that the Judge's intimidation order was of no effect in preventing the enforcement of Act No. 44 of 1879. Chief of Police Boylan procured forty affidavits and warrants; whereupon the Lottery Company got Judge Billings to issue an injunction against Boylan.[26]

The case was argued in the early part of April. It was freely predicted that the Judge would decide in the Company's favor, and it was contended that such a case should not be taken up in the Federal courts.[27]

Judge Billings handed down his decision two months later, when he declared Act No. 44 of 1879 unconstitutional on the grounds that "the right legally invested in a corporation cannot be controlled or destroyed by any subsequent statute, unless a power for that purpose be reserved to the legislature in the act of incorporation." (Wales vs. Stotson, 2 Mass. 146). He further stated:

> While lotteries are reprobated as having an immoral tendency, nevertheless, where the grant of the right to draw lotteries has taken the form of an absolute contract the

[22] *Sunday Inter-Ocean*, November 10, 1901.
[23] These references allude to two Reconstruction episodes in the history of Louisiana. A detailed account of each may be found in Alcée Fortier, *History of Louisiana*, IV, 139-148, 185-188.
[24] *People's Vindicator*, April 5, 1879.
[25] *Democrat*, April 1, 1879.
[26] *Ibid.*, April 6, 1879.
[27] *Ibid.*, April 9, 10, 1879; *People's Vindicator*, April 19, 1879.

> courts have treated the responsibility of its execution as resting entirely with the legislature, and have dealt with it as carrying the obligations which its terms import. . . . Where a corporation has been called into existence by a state legislature, for a definite object, declared in the act creating it, and has powers and faculties given it which are in their nature and operation pertinent to its sole object and necessary to its very existence, its rights and franchises cannot be swept away by a repealing act of the legislature of the state which created it. . . . The officers of the state charged with the enforcement of the penal laws would be enjoined from arresting or otherwise interfering with the officers and agents of the corporation for acts done by them in the exercise of the rights conferred by said charter.

Judge Billings labored at length to show why this case should come properly under his jurisdiction.[28]

Victorious in the courts through Judge Billings' decision, the Lottery Company carried on its business as usual. However, it had yet to weather the storm of the Constitutional Convention which was brought into being largely through the efforts of persons determined to have Louisiana operate under a new organic law—one which would nullify the Lottery Company's legal existence.

The Constitutional Convention convened in New Orleans on April 21, 1879, and on the fifth day of the session (April 25) Frank McGloin of Orleans introduced an ordinance concerning lotteries and monopolies,[29] while on the following day N. C. Blanchard of Caddo offered another ordinance on the same subject.[30] Nothing came of these ordinances, however, and the record shows no further agitation of the question until the proceedings of the sixty-third day (July 2), when Article 20 was read.[31] After several days' debate this article was adopted and became Article 167 of the General Provisions of the Constitution that was adopted by the Convention on July 23, and was submitted to the people of the state and ratified by them on the first Tuesday in December, 1879.[32]

The debate in the Convention was very spirited and lasted eight days. The record of the proceedings show that almost every member spoke on the subject. It was a clear-cut issue. The

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[28] "Louisiana State Lottery Company *v.* Fitzpatrick," 3 *Woods*, 222.
[29] *Official Journal of the Proceedings of the Constitutional Convention of the State of Louisiana*, 1879, p. 37.
[30] *Ibid.*, p. 41.
[31] *Ibid.*, pp. 229-231.
[32] *Louisiana Constitution*, 1879, pp. 41-42 (Article 167).

Louisiana State Lottery Company was struggling to have its charter embodied in the Constitution, while the opponents were determined to prevent this. The outcome was in reality a compromise, since lotteries were given legal sanction until 1895, but the Company was forced to surrender its monopoly rights.[33]

The arguments and statements found in the report of the proceedings reveal the many angles of attack and of support. Opposing the article was a minority who favored the statement that "no lottery shall be authorized by the State." One member substituted therefor that all lotteries are prohibited in the State. One member favored a $50,000 annual license, while another proposed a sum twice that amount, if at all. One argued that lotteries were one of the worst species of gambling, another that the sale of lottery tickets was immoral, a third termed it a horrible infamy. An opponent of the article professed faith in a belief that the Supreme Court would decide Act No. 44 of 1879 to be constitutional, so he opposed the article. Another opponent claimed that to license one company was a lesser evil than to license many. Again, another believed that the article had a catch in it—that the present company would will whether other companies could be licensed. Finally, one member stated that he feared his constituents would believe he had been bribed, were he to vote for the article.[34]

On the other hand, one proponent favored the article on the grounds that Judge Billings' decision had shown that the present Company had vested rights. Another was sarcastic about the morality of the speakers, since there was no opposition to whiskey shops and other immoralities. This same speaker favored the article because he was a Democrat and appreciated that the "present Democratic government was established with the money furnished by the Louisiana Lottery Company." With the same thought in mind, another maintained that lotteries were an evil that could not be prevented, and pleaded to make the most of it, "like we do whisky selling." He asked the Convention to remember that in Louisiana's darkest hours "this company came forward with the sinews of war and placed us on our feet." Finally, a member stated that he had helped to authorize a committee of seven with plenary powers to raise money for the support of the government, and that when all other means had failed the com-

[33] *Official Journal of Louisiana Constitutional Convention*, 1879, pp. 229-231, 250-253, 265; *Democrat*, July 3-10, 1879.

[34] *Official Journal of Louisiana Constitutional Convention*, 1879, pp. 229-256, *passim*.

mittee had recourse to the Louisiana Lottery Company and had received forty-five or fifty thousand dollars, and that "it was the firm understanding of those who had a knowledge of the facts that the company was not to be interfered with in consideration of the timely relief it has bestowed." The final vote in the Convention was 71 to 52 in favor of the article.[35]

Article 167 of the Constitution of 1879 provided for the expiration of all lottery charters on January 1, 1895, and required the Louisiana State Lottery Company to renounce its monopoly features, thereby permitting other companies to operate upon payment of a tax of $40,000 or more per annum.[36]

The people ratified the Constitution in December 1879. Lottery supporters argued that this ratification showed that the people favored a continuance of lotteries, while lottery opponents argued that the Constitution was a good organic law as a whole, and that since the vote was for adoption or rejection of the entire Constitution and not on each article, the people preferred to adopt rather than to reject the instrument and thereby continue under the 1868 Constitution.[37]

The Supreme Court ruled that the effect of Article 167 was to repeal only conditionally Act No. 44 of 1879. It did not "revive the original charter of the Louisiana State Lottery Company as though it had never been repealed," but revived it except as to certain exclusive privileges, and recognized the charter, thus modified, as a contract binding on the State for a specified period. In commenting on the validity of the contract, the Supreme Court ruled: "It was, no doubt, wise in the State to regulate reprehensible, but, perhaps irrepressible, inclinations for that sort of speculation, so as to draw from those who follow them,—as it were,—honey from poison, for the betterment of the destitute classes of society."[38]

As a sequel to the Constitutional Convention and the adoption of the Constitution of 1879, the Lottery Company obtained control of the *Democrat*, the New Orleans paper that had been so bitter against the Lottery. That paper, controlled by Major H. J. Hearsey and George W. Dupre, had been made State Printer because of its magnificient service in behalf of the restoration of white gov-

[35] *Democrat*, July 3-10, 1879.
[36] *Louisiana Constitution*, 1879, pp. 41-42 (Article 167).
[37] Kendall, *op. cit.*, II, 486.
[38] "State ex rel. Carcass *v.* Judge," 32 *Louisiana Annual*, 721.

ernment in Louisiana. Because of the bankrupt condition of Louisiana at that time, the state was not on a cash basis, and the Printer received its compensation in scrip which it hypothecated to the banks at from forty to fifty cents on the dollar. The indebtedness of the state to the *Democrat* was more than $100,000. Determined to bankrupt Hearsey and Dupre, the Lottery Company provided complainants to bring suit in the Federal Court challenging the validity of this scrip. A complaisant Federal judge ruled that the scrip was about worthless, having a dubious legal title; whereupon the scrip receded to ten cents or less on the dollar, and the banks foreclosed, the state not being on a cash basis. Messrs. Hearsey and Dupre were forced out; and Major Burke, Houston, Howard and the Lottery Company gained control of the paper. The Federal Court then granted a rehearing and reversed its decision, the effect of which was to give the new proprietors of the *Democrat* the full value of the scrip.[39]

Partly to combat the belief that the business of the Lottery Company was at a low ebb, which was probably true since its stock of $100 par value was as low as $35 in 1879,[40] and partly to advertise itself, the semi-annual drawing of June 17 received a two-column account in one of the New Orleans papers. A detailed description of the drawing was given. The affair took place at the Lottery building. Commissioners Beauregard and Early were present. "The general (Early) called the number of the ticket and General Beauregard called the sum of money attributable to the same; then the large wooden wheel containing the tubes with the tickets inside and the small wheel containing the tubes with amounts of money, were closed and locked." The crank of the large wheel was turned after every twenty numbers. The wheels were revolved every ten minutes. The article stated that

> Unusual interest was shown partly because of the peculiar situation the company has since a little while back held with regard to the State, and partly because here when some were imagining the lottery broken up, it really turns out that the organization is stronger than ever. . . .
>
> At the next grand drawing the company will follow the former custom and will occupy one of the theatres of the city. Then, also, the free concerts will be continued.[41]

[39] *Daily States*, September 14, 1890.
[40] Kendall, *op. cit.*, II, 486.
[41] *Times*, June 18, 1879.

The list of winning numbers at this drawing showed that of the nine principal winners only one ticket was sold in Louisiana, while four were sold in New York, two in St. Louis, one in Washington, and one in Louisville.[42] Clearly the sale of tickets was general throughout the entire country.

In December 1879 Generals Beauregard and Early issued a two-column card. These generals appealed that the lottery matter be not reopened since the people had adopted the new constitution; and, answering Postmaster General Key, who in an order had declared the Lottery Company to be fraudulent, said: "To pronounce such a corporation as this a fraud does not comport with very clear comprehension of the principles of common sense or official propriety."[43]

The account of the drawing on December 17, 1879, was similar to the one just described. The event was held at the Grand Opera House in connection with a concert in celebration of "its lawful renaissance." Proceedings began at 11 A. M. and ended at 2:30 P. M. In preparation for the drawing the commissioners spent five days in counting the numbers and checking on the accuracy of the count.[44] Beauregard did not wear full Confederate uniform or medals of honor at the drawing.[45]

CHAPTER IV

THE LOTTERY COMPANY AT THE HEIGHT OF SUCCESS

Introduction—STATE LEGISLATURE: Attempts to charter and license other companies in 1880—Arguments pro and con—Boast by the Company—Attempts to hamper the Company in 1882—Similar attempts in 1884—Arguments.

COURTS: Local ordinances in New Orleans in 1883—Orders of Postmaster General in 1879 and 1880—Suits in Federal Courts in 1884.

GENERAL: The Troubles with McClure—Out-of-State comment — Death of Howard — Lottery finances — Daily Drawings.

The decade from 1880 to 1889 was notable in Lottery history. In that period the Lottery Company fought off several attempts made in the State Legislature to end or at least curtail the Company's operations. It became engaged likewise in judicial battles

[42] *People's Vindicator*, June 21, 1879.
[43] *Times*, December 10, 1879.
[44] *Ibid.*, December 17, 1879.
[45] Buel, *loc. cit.*, XLIII, 618-632.

that, while bringing no apparent defeat to the Company, precipitated opposition and Congressional action that foredoomed the destruction of the Lottery Company. And yet during these struggles the Company operated its business with the greatest financial success in its history. This chapter will attempt to chronicle the happenings pertaining to lotteries during that decade: first, in the State Legislature; second, in the courts; and, third, in other channels.

STATE LEGISLATURE

Taking advantage of Article 167 of the Constitution of 1879, which permitted the chartering of other lottery companies, a Mr. Schneider proposed in the Legislature of 1880 a bill "to increase the revenues of the State and to incorporate the New Orleans Lottery Company of the State of Louisiana for the benefit of the Shreveport Charity Hospital and the public schools throughout the parishes of the State of Louisiana." The bill was disposed of quickly: After its first reading on February 17, it was reconsidered and ruled out as special legislation in contravention of Article 48 of the State Constitution.[1]

During the following month three more bills were introduced, all designed to affect the Louisiana State Lottery Company. One was a House bill granting lottery charters to anyone who complied with the constitutional requirements. This bill received a favorable committee report, but no further action was taken on it.[2] A second was a bill proposing a general lottery as a section of the general license bill; but it was voted down.[3] The third was a general lottery bill, originating in the Senate as Bill No. 173. It passed that body but was never acted upon by the House.[4]

The Senate Bill No. 173 occasioned a one-sided debate which redounded to the support of the established Lottery Company. Proponents of that Company naturally opposed the idea of a measure that would permit other lottery companies to operate. These men allied themselves with those opposed to all lotteries. Some members argued that the bill would provide an opening for illegal lotteries,[5] while others maintained that the bill was defective since one license could be paid and then the privileges could

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[1] *Louisiana House Journal*, 1880, pp. 141, 147-148, 505.
[2] *Ibid.*, pp. 248, 249, 286-287, 514; *Democrat*, March 17, 1880.
[3] *Louisiana House Journal*, 1880, pp. 400, 521; *Democrat*, April 6, 1880.
[4] *Louisiana Senate Journal*, 1880, pp. 213, 216, 230, 236, 255, 274; *People's Vindicator*, April 24, 1880.
[5] *Daily Picayune*, March 6, 1880.

be "farmed out" to other companies.[6] The measure was favored by some opponents of the Louisiana State Lottery Company, who claimed that if that Company were not an evil then the establishment of other similar companies would not be an evil. This argument was quickly answered: "If two wrongs cannot make a right, how five, or six, or ten evils of a worse character are to better our moral condition is beyond our comprehension."[7] Again, one "might as well have had Louisiana legalize piracy sixty years ago, because of Lafitte and his Baratarians enjoying a monopoly of that nefarious practice."[8]

That the matter agitated the Legislature may be surmised by the following from a contemporary editorial:

> Reports that have been circulated that members opposed to the general lottery bill will filibuster against general legislation in order to defeat such a bill, is, we are assured, without foundation. Any attempt in that direction should be frowned down. On the other hand we indulge the same hope that the report which is current, to the effect that the members favoring the general lottery bill will attempt to force that measure ahead of legislation which is vitally essential to the maintenance of the State government, is unfounded.[9]

Results of the attempted legislation on lotteries in 1880 indicate simply that the Louisiana State Lottery Company had triumphed in keeping other companies from receiving a state charter, despite Article 167 of the Constitution of 1879.

Perhaps to glorify itself in the eyes of the people, the Lottery Company, in its advertisement for the semi-annual drawing on June 15, 1880, issued this notice: "This is the only lottery in any State ever voted on and endorsed by its people."[10]

The Louisiana State Lottery Company accomplished victory after victory in the legislative session from 1882 to 1890, although in 1882 and again in 1884 the subject was considered by the General Assembly. Attacks against the Lottery Company were directed from two approaches: one, to abolish the Company; the other, to charter other companies in the hope of reducing the existing Company's rewards. Both means failed in 1882 and

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[6] *Ibid.*, March 30, 1880.
[7] *Democrat*, March 30, 1880.
[8] *Times*, March 24, 1880.
[9] *Democrat*, April 1, 1880.
[10] *People's Vindicator*, May 15, 1880.

again in 1884. No attempts at lottery legislation in 1886 or 1888 are revealed in the official proceedings of those years.[11]

Two lottery bills were introduced in 1882. The first proposed a constitutional amendment annulling Article 167 of the Constitution of 1879, while the other attempted to incorporate a New Orleans Lottery Company. The attempt to annul lottery charters and privileges was throttled when the bill (H. B. No. 81) passed to second reading and then to a committee, where it expired. The other bill (H. B. No. 159) also failed to go beyond second reading.[12]

Similar legislation was proposed during the session of 1884.[13] House Bill No. 27 proposed the abolition of Article 167 of the Constitution, while House Bill No. 52 granted a charter to certain named individuals to operate the New Orleans and Shreveport Lottery Company. Bill No. 27 received a vote of 47 to 42,[14] but failed since it lacked the two-thirds vote required of bills proposing constitutional amendments. The other bill failed to pass the third reading.[15]

Discussions on the proposed measures brought out the usual arguments. One member said that "Louisiana has purchased

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[11] *Louisiana House Journal*, 1886, 1888, *passim; Louisiana Senate Journal*, 1886, 1888, *passim.*

[12] *Louisiana House Journal*, 1882, pp. 50, 61 (for H.B. No. 81); pp. 103, 144-145, 174-177 (for H.B. No. 159).

[13] While the Legislature of 1884 was in session, the Louisiana Conference of the M.E. Church, South, at its 38th annual session, drafted resolutions against lotteries and requested the Legislature to submit a constitutional amendment forever prohibiting lotteries. The resolutions are as follows:

"Whereas, the State of Louisiana through its representatives in constitutional convention assembled has declared gambling to be a vice, and in the face of this declaration has licensed, and does, through its courts of law, protect and maintain the Louisiana State Lottery Company in a species of gambling, of which the Supreme Court of the U. S. has said: 'Experience has shown that the common forms of gambling are comparatively innocent when placed in contrast with the widespread pestilence of lotteries which enter every dwelling, reaches every class, infects the whole community, preys upon the hard earnings of the poor, and plunders the ignorant and simple;' and

"Whereas, the article of the Constitution which declares gambling to be a vice, is but a recognition of the spirit and precept of the Divine Law which is above all human law; therefore

"Be it resolved by the Louisiana Annual Conference of the M.E. Church, South,

"(1) That the licensing and legalizing of a business declared to be a vice is not only in open defiance of human law and decency, but a bold and defiant infraction of the Law of God;

"(2) That we, as Ministers of that Sovereign who is above all earthly powers and potentates, will, in His name, from pulpit and press, protest against the perpetuation of this iniquity and invoke His aid in the extermination of this evil and its elimination from our borders;

"(3) That we recommend the circulation in our several charges of petitions to the Legislature praying them to submit to the people of Louisiana a constitutional amendment forever prohibiting the establishment or existence of lotteries in the State of Louisiana."—*(Minutes of Louisiana Conference, M.E. Church, South, 38th Annual Session, New Orleans, Louisiana, January 9-14, 1884.)*

[14] *Louisiana House Journal*, 1884, pp. 60, 72, 75, 90, 98-100; *Daily Picayune*, May 28, 1884.

[15] *Louisiana House Journal*, 1880, pp. 77, 91, 113, 129, 154-155.

damnation for $40,000,"[16] while another said, "If it is right for one lottery, then let's have more," and cited that "from 1872 to 1884 there have been fourteen sessions of the legislature, at an average cost of $1,500 per day. The lottery question has retarded and occupied legislation not less than ten days of each session. This represents a time expenditure of 1,400 days and a monetary equivalent of $200,000; and with all this expenditure of wind and money the lottery company is still impregnably behind its charter." A third speaker believed that it was futile to argue the matter, that "it would be more profitable if a hall and band of music were hired to give lectures on the lottery question, because the members had already made up their minds which way to vote, and Clay, Calhoun or Webster could not change them."[17]

COURTS

The city of New Orleans adopted an ordinance in 1883 that made it unlawful to operate lotteries unless the same were duly authorized by the laws of the State of Louisiana; and it provided that alleged violators of the ordinance should be taken before the Recorders' courts. Although it was contended in later years that the ordinance was unconstitutional in conferring judicial functions upon a Recorder, and that it was discriminatory in favor of the Louisiana State Lottery Company, the Supreme Court upheld the ordinance in three separate cases.[18] The Company was victorious in the state courts.

Acting under authority vested in him by *Revised Statutes* 3894, Postmaster General D. N. Key issued an order on November 12, 1879, forbidding the postmaster at New Orleans to pay any money order, or to deliver any registered letter, to M. A. Dauphin. Key stated that he was satisfied from evidence before him that Dauphin was engaged in conducting a scheme for obtaining money through the mails by false and fraudulent pretenses. Dauphin countered by entering an enjoinder suit in the United States Supreme Court against Key. In his answer, Dauphin presented a certificate "of the governor and state officers of the State of Louisiana that he has complied with all the legal requirements of that State."[19] On February 27, 1880, the Postmaster General ordered the suspension of his order of November

[16] *Daily Picayune*, May 27, 1884.

[17] New Orleans *Times-Democrat*, June 5, 1884.

[18] "State *v.* Boniel," 42 *Louisiana Annual*, 1110 (1890); "State *v.* Dobard," 45 *Louisiana Annual*, 1412 (1893); "State *v.* Voss," 49 *Louisiana Annual*, 444 (1897).

[19] Quoted in "New Orleans National Bank *v.* Merchant," 18 *Federal Reports*, 841.

12, 1879. While the case was pending, Postmaster General Key resigned, and the case was "stricken from the docket under a rule of the court which provides for such disposition of the cases against public officials who go out of office pending the decision thereon."[20]

Another case that involved the office of the Postmaster General was decided in the United States Circuit Court for the Eastern District of Louisiana, in 1884. This was a suit instituted in the New Orleans Civil District Court by the New Orleans National Bank, seeking an injunction against Merchant, the New Orleans postmaster, who wanted to deprive the bank of the use of the registered-letter and money-order systems of the postal service. The court granted the injunction; whereupon Merchant answered and filed his petition and bond for the removal of the cause to the Federal Circuit Court. This was granted. Merchant defended his position by claiming that he was acting under orders of Postmaster General Gresham that he should hereafter (September 19, 1883) "deliver to the New Orleans National Bank no registered letters and redeem no money orders payable to it; but deal with the same as directed by the order of this department of November 13, 1879." The order also stated, "I am in possession of trustworthy information that this bank has been and still is receiving through your office registered letters and money orders for the benefit of M. A. Dauphin, in pursuance of his public directions." Merchant denied the jurisdiction of the state court to issue an injunction in this case and insisted that no court had the power or right to review or control any orders of the Postmaster General. The bank, through its president, denied that the New Orleans National Bank was then or ever had been the agent of Dauphin, that it had ever received for account of Dauphin any registered letters or money orders, and that it was participating in any fraudulent schemes.

A formidable array of legal talent argued the case. Attorneys for the complainant were Jeff Chandler, Charles W. Moulton, Thomas J. Semmes and Joseph P. Hornor, while on the side of the defendant were United States Attorney General B. H. Brewster, Assistant Attorneys General William A. Maury and A. A. Freeman, and United States Attorney Albert H. Leonard.

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[20] *Senate Executive Documents*, 51 Cong., 1 Sess., No. 196 (Message of President Harrison, Exhibit A: History of the Post-Office Department Concerning Lotteries—July 29, 1890).

Judge Pardee rendered the decision. He ruled that Gresham's order, being not *upon satisfactory evidence,* did not come within the statutes. Answering the argument that Merchant was under orders and control of the Postmaster General and not responsible to the courts in the exercise of the duties of his office, the Judge ruled: "Where the act of the officer is one of mere ministerial duty, it may be controlled or compelled by the courts. Where the act of the officer involves the exercise of judgment or discretion, the courts cannot interfere to compel or prevent." He believed that the issue in this case concerned a matter in which the New Orleans postmaster's duties were ministerial acts. His finding was that since it was not proved that the bank was receiving registered letters or money orders for the Louisiana State Lottery Company, the motion to remand and to dissolve the injunction should be overruled and denied.[21]

The use of the mails by Dauphin was again attacked in 1884, when four bills of information, each containing three counts, were filed in the United States Circuit Court for the Eastern District of Louisiana, against Dauphin. Demurrers were sought and obtained by Dauphin. Judge Billings ruled:

> The validity of the information turns upon the meaning of the word "send". . . . I am of the opinion . . . that the sending denounced and punished (by Sec. 3894) is knowingly forwarding or causing to be forwarded through the mail, as mail to be conveyed by mail, i.e., as mail matter, after the prohibited article has been deposited in the mail, and *could not include the naked sending to the post-office, which is alone charged in the informations.*[22]

A sweeping victory was gained by the Lottery Company in 1886. The assessors of the city of New Orleans attempted to levy assessments on the properties of the Company. The United States Supreme Court denied this, by upholding a decision of the Louisiana Supreme Court in 1871 bearing on this point.[23] What was of even more importance, the court held that the Legislature could not abrogate the right to operate a lottery where such right was accorded by the provisions of the State Constitution.[24]

An analysis of the results of the cases just recited shows that the Lottery Company was uniformly successful. In the case

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[21] "New Orleans National Bank *v.* Merchant," 18 *Federal Reports,* 841.

[22] "U. S. *v.* Dauphin, Circuit Court, Eastern District of Louisiana, May 12, 1884," 20 *Federal Reports,* 625.

[23] "Louisiana Lottery Co. *v.* Richoux," 23 *Louisiana Annual,* 743.

[24] "N. O. *v.* Houston," 119 *United States,* 265.

against Key, the boldness of the Company in defying orders of the Postmaster General was shown. The New Orleans National Bank *vs.* Merchant case established the fact that it would be difficult for the New Orleans postmaster to prevent the Lottery Company from continuing its mail business. Judge Billings' decision on the information bills filed against Dauphin in 1884 showed the power of the Company to have a judge rule on the verbiage rather than the intent of the law. The decision in New Orleans *vs.* Houston withdrew the subject matter of the granting of lottery charters from the police power of the state. These four cases exemplify the fact that while sentiment was against lotteries, the law was not couched in language sufficiently succinct for lottery opponents to win a victory in the courts. That the Lottery Company engaged superior legal counsel is equally evident from the study of the briefs filed in the suits.

GENERAL

It appears that the Lottery Company went one step too far, however, in instituting two libel suits against Colonel A. K. McClure of Pennsylvania.[25] These suits were dismissed before trial; but the effect produced in arousing a sentiment against the Company was damaging to it.

The first suit was one of libel brought by M. A. Dauphin against the Philadelphia *Times*, of which McClure was editor. That paper had engaged in waging a relentless war against lottery advertisements in newspapers, with the result that in 1883 the Pennsylvania Legislature passed a law that made it impossible to advertise lotteries in that state. Since the Louisiana State Lottery Company did a business in Pennsylvania sufficient to justify an annual expenditure of $50,000 for newspaper advertisements in that state, it sought revenge by instituting the libel suit. The case was tried in the United States Circuit Court for the Eastern District of Pennsylvania, being No. 20 at the October 1883 session. The *Times* filed a demurrer and pressed for a hearing. Judges McKennar and Butler sustained the demurrer, declaring that lottery dealing was a lawless occupation in Pennsylvania and could claim no protection from criticism. Dauphin then appealed the case to the United States Supreme Court.[26]

[25] *McClure*, "Inside History of the Louisiana Lottery," in *Sunday Inter-Ocean*, November 10, 1901.

[26] *Ibid.*

While that case was still pending, Colonel McClure visited New Orleans to witness the Cotton Centennial Exposition. Upon his arrival in New Orleans, he was served by a United States Marshal with a writ, Dauphin claiming $100,000 damage for libel. McClure interviewed Governor Nicholls who is reported to have told him "that the sentiment of the community was with the lottery; that the officials of the city, executive and judicial, were generally in sympathy with them," and recommended adjustment of the matter. Colonel McClure did admit, however, when writing about his experiences, that a committee of three prominent New Orleans bankers waited upon him and offered him any security he might require; and that a committee of three lawyers told him "that the New Orleans bar had instructed them to say that the suit . . . would be defended by the bar without cost" to McClure.[27]

McClure was determined to carry on the case; so Nicholls recommended James McConnell as counsel, and McClure and McConnell agreed upon the course to pursue. The plea was a difficult one to frame, "in view of the fact that in the state where the alleged libel was published the lottery business was criminal, while in the State of Louisiana, where the action was brought, it had the high sanction of the constitution." But this was attempted by having the plea—a seventy-six-page printed pamphlet—prepared in Philadelphia. The plea was prepared in such a way that it would be appealable to the United States Supreme Court.[28]

Delays in holding the trial consumed more than a year's time, until finally the day was fixed, with a Justice of the Supreme Court to preside. Two weeks before the trial the Lottery Company offered a compromise: It agreed to withdraw the suit, together with the one still pending in the Supreme Court against the *Times*, and to pay McClure $8,500 for costs imposed upon him. McClure accepted, and the matter was closed.[29]

One effect produced was that Representative Bingham and Senators Edmunds and Hawley, all of Pennsylvania, who had counseled with Colonel McClure in the suits against him, carried the battle against the Lottery Company into Congress, and led the fight in that body to enact legislation to drive lotteries from the mails and to prohibit express companies from carrying lottery matter.

[27] *Ibid.*
[28] *Ibid.*
[29] *Ibid.*

Colonel McClure evidently was still incensed against the Louisiana Lottery Company when, a few years later, he visited the Southland and incorporated in a book[30] his observations on each state; for, in the chapter on Louisiana, he vented his wrath as follows:

> There is one withering blight that spreads its baleful shadows upon the State of Louisiana, and that is the Louisiana Lottery Company. That it is the only legalized robbery of the people here and elsewhere, or illegal robbery under color of law, is evident to all who learn from its own confession in official publications, that it returns to policy patrons little more than half the money it gathers from them; but when its social, political, and business demoralization, is considered; its systematic robbery of the best attributes of communities; of the qualities of legitimate industry or of the business integrity that alone can make a respectable and prosperous people, it is as "the pestilence that walketh in darkness and the destruction that wasteth at noonday." This corporation whose trade was recently declared by the Philadelphia U. S. Court to be an "infamous crime" muzzles the press of the South, ramifies its power into political, social, and judicial circles, and multiplies the poverty of war among the people. It is lavish in its gifts, obsentatious in its charities, and generous in public enterprises; but the Church could as well draw its financial sustenance from the bawdy-house or the gambler's den, and hope to promote vital piety, as can the politics, charity, or enterprise of New Orleans draw tributes with self-respect from the lottery swindle.[31]

Another slur was cast on Louisiana by the *Nation*, which, after claiming that Louisiana had seventy percent more liquor dealers than Texas, though the population was only half as great, said: "This is only one of the many illustrations of the demoralizing effects of the lottery system which Louisiana fosters and which, of course, extends its ramifications into the liquor business." The article then mentioned that illiteracy was on the increase in Louisiana, and continued:

> The truth is, that the State is today really retrograding in all that makes a community civilized. There are happily some signs that respectable people are becoming aroused to the disgrace of the situation, and there is talk in New Orleans of a determined movement to overthrow the ring, but

[30] A. K. McClure, *The South: Its Industrial, Financial, and Political Condition* (Philadelphia: J. B. Lippincott and Co., 1886).

[31] *Ibid.*, 134-135.

> it is firmly entrenched with the lottery infamy actually embodied in the constitution of the State, and the fight will be a long and hard one.[32]

Answering the above attack, B. R. Forman of New Orleans, in the columns of the magazine that published the article,[33] placed the blame for the Lottery's existence and success on the Republican Party. He reviewed the history of early lottery legislation in Louisiana, and showed that "when Sheridan . . . forced on the people of Louisiana the constitution of 1868," the Louisiana Lottery Company was chartered. "During the whole term of Republican rule in Louisiana, from 1868 to 1877, the will of the people of Louisiana was suppressed by the U. S. army . . . and no effort was made to repeal this charter. [Louisiana Lottery Company]." Further, he called attention to Judge Billings' decision as being one of a New England Republican, appointed by President Grant. Finally, he charged that in the Constitutional Convention of 1879 every one of the thirty Republicans in that body voted against striking out the lottery article, while every one of the fifty-two Democrats voted to strike out lotteries.[34]

The New Orleans newspapers of June 1, 1885, announced the death of Charles T. Howard, who died from peritonitis following a fall from a horse which he was riding at Ingleside, Dobbs' Ferry, New York, the northern residence of the Howard family. The editorial comment in the New Orleans papers bore high tribute. One said: "Severely condemned as that business [lottery] is in all moral communities, Mr. Howard managed, by his sterling traits of liberality and fidelity to friends and all engagements, and his large charity, to mitigate many of the evils and demoralizing effects of this business."[35] Another paper said, in part:

> He has been engaged in many large enterprises in this city of an industrial character, and was widely known for his public spirit and generous aid to all benevolent and charitable institutions and enterprises. Thus has ended the remarkable career of a remarkable man, who was strong

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[32] *The Nation*, XLIV, 353 (Editorial, April 28, 1887).

[33] *Ibid.*, XLIV, 402-403 (May 12, 1887, "The Louisiana Lottery," a communication to the Editor, dated New Orleans, May 3, 1887, signed "B. R. Forman").

[34] *Ibid.*, XLIV, 403.

[35] *Daily Picayune*, June 1, 1885.

both in his likes and dislikes, and whose death will be an irreparable loss, not only to his family but to numbers of worthy poor, whose honest poverty has been relieved by his lavish generosity.[36]

Charles T. Howard's name was attached to the presidency of the Louisiana State Lottery Company from January 1869 until 1876, when M. A. Dauphin became president. Howard retained and maintained an active interest in the affairs of the concern until his death, however.

Dauphin served as president of the Lottery Company until his death on December 28, 1890, at the age of fifty-four. He was a native of Alsace-Lorraine, but came to this country when he was sixteen years of age, and settled in New Orleans, where he graduated in medicine and practiced his profession for several years. He was one of the organizers of the Louisiana Lottery Company in 1868.[37] An inventory of Dauphin's property filed in January 1891 showed a total value of $146,157.50. Two items of interest were fifty-six shares of Louisiana Lottery Company stock, valued at $22,400, and his salary as president of the Company for December 1890, $1,250.[38] These shares of stock are reported to have been sold in later years by Dauphin's widow for the low price of seven dollars each.

Paul Conrad, a native of New Orleans and a soldier of the Confederacy, succeeded Dauphin to the presidency of the Company. He had been an attache of the Company since 1870, and had practically managed the Lottery's affairs during the last several years of Dauphin's presidency.[39] His was the difficult task of being president of the Company during its darkest days.

It is impossible to state with certainty what year brought the greatest financial returns to the Louisiana State Lottery Company; but, judging from advertisements of the drawings, the decade from 1880 to 1889 saw the Lottery at its greatest success. Tickets were sold in every state. The amount of the capital prizes at the monthly and semi-annual drawings steadily increased during that period until one finds that in 1888 the monthly prizes aggregated as much as did the semi-annual ones ten years previous, while the semi-annual drawings held an offer of a

[36] *Times-Democrat*, June 1, 1885.
[37] *Daily States*, December 29, 1890.
[38] *Ibid.*, January 14, 1891.
[39] *Times-Democrat*, January 14, 1891.

capital prize of $600,000.[40] The profits were reported to be enormous. The dividends to stockholders were 110% in 1887, 120% in 1888, 170% in 1889, and 125% in 1890.[41]

That the drawings were honestly conducted was never questioned; yet, "to make assurance doubly sure," the advertisements usually bore facsimile signatures of Generals Beauregard and Early, and later of General Cabell.

Advertisements testifying to the fact that the Company paid its prizes and without delay often accompanied the announcements of results of the drawings which listed the winning numbers.[42]

In an effort to place the stigma of hypocrisy upon the opponents of the Lottery, the Company was always quick to report when an anti had bought a winning ticket. Many an outspoken opponent of the Lottery bought tickets regularly.

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[40] The following Table, compiled from Lottery advertisements in the newspapers of the time, will serve to convey a general idea of the operations of the Company.

Capital Prize	*Number of Prizes*	*Value of Prizes*	*Date of Drawing*
$150,000	2279	$ 522,500	June 12, 1883
75,000	1967	265,500	July 10, 1883
75,000	1967	265,500	May —, 1885
150,000	2279	522,500	June 16, 1885
75,000	1967	265,500	July 14, 1885
300,000	3136	1,055,000	June 12, 1888
300,000	3134	1,054,000	July 10, 1888
600,000	3146	2,118,800	December 18, 1888
600,000	3144	2,159,600	June 18, 1889
300,000	3134	1,054,800	July 16, 1889

Number of Tickets	*Price of Whole Ticket*	*Name of Drawing*
100,000	$10	Extraordinary
100,000	5	Monthly
100,000	5	Monthly
100,000	10	Extraordinary
100,000	10	Monthly
100,000	20	Quarterly
100,000	20	Grand Monthly
100,000	40	Mammoth
100,000	40	Semi-annual
100,000	20	Grand Monthly

[41] Buel, *loc. cit.*, XLIII, 624.

[42] The advertisement of May 25, 1890, was typical. One full column was used in publishing ten cards from that number of winners. An example follows:

A CARD.

$300,000.

New Orleans, May 17, 1890.

The undersigned certifies that he held for collection for account of First National Bank, Jackson, Tennessee, 1/20 ticket No. 45,350 Single Number, Class E, in the Louisiana State Lottery Company which drew the First Capital Prize of *Three Hundred Thousand Dollars* on Tuesday, May 13, 1890, sold in Owensboro, Kentucky, and that the amount was promptly paid by a check on the New Orleans National Bank, on presentation of the ticket at the office of the company.

(Signed) H. Kinler, Runner, Union National Bank.

Dr. William Shaw Bowen, a New York newspaper correspondent, was present at the Lottery drawing of March 11, 1890. He has described it very entertainingly, as follows:

> The superfluous scenery was cleared away so as to expose the entire stage area. A parlor set in black and gold was spread. The floor was, in recognition of the nature of the proceedings about to be enacted, very suitably covered with a plain green cloth like the table of a faro game. On one side stood a machine which would impress the unfamiliar spectator as a peculiar one. An immense drum of mahogany with glass in place of the conventional sheepskin, was poised on an axle passing through its centre on a wooden standard. The axle protruded from the glass heads on either side, and ended in a crank of iron with a wooden handle. The diameter of the drum was about five feet, and from head to head the distance was apparently one half the diameter. A trap door ten inches square was formed in the circumference.
>
> On the opposite side of the stage and resting on a standard above the green cloth was a smaller wheel. It was a highly polished brazen affair, with plateglass heads. Through the latter an axle ran, but, unlike the large drum, there were no cranks. A small trap, about six inches square, appeared in the periphery. Several chairs stood in the centre of the stage in the rear of the mechanism above described.
>
> By the side of the first drum stood a white-headed old man. He was of large stature, but the progress of years weighed heavily on him, and his shoulders were bent so as to throw his florid face, with its full white hirsute covering, forward towards the floor. Gray-blue eyes, fierce and penetrating, gleamed beneath bushy, overhanging brows. A suit of Confederate gray clothing, well cut and neat, covered the aged man. He paused a moment, with one hand resting on the great mahogany drum. Throwing his head back, he swept his eyes cursorily over the eager assemblage before him. At 10:45 o'clock another historic personage appeared on the scene. He was clad in black, and a handsome face crowned by snow-white, closely cropped hair was poised proudly above an elegant, dignified form. His shaven cheeks were cold, his countenance, of the Gallic cast, was impassive. "Old Jubal" once appeared more like an old-fashioned soldier of the type which prevailed a century ago. His confrere, ex-Lieutenant-General Beauregard, though at present enacting the part of croupier, did not for a moment bury his military carriage. You might easily fancy him in barry red trousers and gold-lace kepi, witnessing the march past of massive Gallic battalions on the plains of Chalons. As the co-manager of the Louisiana Lottery, General Beauregard does not bury his historic identity as completely as does "Old Jubal."

Two small boys in knickerbockers took their places, one by the large drum and one by the small brass wheel. With the utmost solemnity, Croupier Early proceeded to blindfold the boy beside him. Located near the brazen drum, Croupier Beauregard, with corresponding gravity, tied a white handkerchief over the eyes of his juvenile assistant. Several white canvas sacks were placed near the great wheel. The contents of each sack assumed the bulk of a bushel of grain. The gathered neck of each sack was tightly tied with a cord over which a strip of white paper was drawn and sealed with red wax. Croupier Jubal carefully broke the seal of one sack and poured the contents through the trap-door opening into the great wheel. There was a rattling sound and a heap of small white and black cylinders appeared through the glass side of the bottom of the drum. One sack after another was emptied until the little cylinders filled the drum exactly half full. In other words, a drum five feet in diameter, and two feet six inches along the axis, contained the contents of the canvas sacks, in bulk two feet six inches deep at the thickest part. After closing the door, Croupier Jubal motioned to two negroes who stood in the wings. They approached, one on each side of the drum, and by the axle cranks slowly revolved it three times. They then reversed the action and turned the drum three times in the opposite direction. The little black and white cylinders rattled merrily as they whirled about. Then the negroes returned to their places in the wings. "Old Jubal" calmly seated himself in a chair near the trap door. The great wheel was ready for use.

On the other extremity of the green cloth a scene almost identical was enacted. There was, however, only a single canvas sack—a small one—and there were no able assistants to turn the brazen drum. Croupier Beauregard poured the contents—in little black and white cylinders—through the trap door, closed it, and with his own white fingers twirled the drum three times in one direction and three times oppositely. Then he seated himself and complacently pulled his immaculate linen wristbands down over his hands. His part of the game was also in readiness.

A square table was located in the rear of the large wheel. Beside it sat a clerk who leaned over a large blank-book whose pages were ruled into squares. Two men, with their hats cocked rakishly on one side, came forward and faced the audience. They stood between the two wheels. A boy in blue occupied a chair placed on the front centre of the stage. His back was to the spectators. In front of him was a small square box. Croupier Early drew forth his watch. Croupier Beauregard likewise glanced at his time-keeper. The audience craned their necks forward impatiently.

The balcony was nearly filled with women. The larger proportion were evidently residents of the city of New Orleans. Many of them held, half concealed, a printed slip of paper. They had purchased tickets in the drawing and could not curb their impatience and await at home the tidings of the lucky numbers. Some of the women were strangers—Northern visitors to the semi-tropical city. There were all sorts and kinds of men on the parquet floor. There were the regular attendants who were always on deck, as it were, to be in readiness if their monthly investment should prove fortunate. The clock struck eleven. Croupier Early again consulted his watch. Likewise did Croupier Beauregard. The two ex-generals then glanced at each other. Then they arose from their seats and each opened the door of the wheel beside which he stood. At a signal the two blindfolded boys reached a hand inside the wheel beside which he was placed. Simultaneously each boy drew forth a single little cylinder. The boy beside the great drum handed his cylinder to Croupier Early who had resumed his chair. The boy placed by the small brass wheel extended his cylinder to white-headed Croupier Beauregard.

"Old Jubal" drew the white paper from the encircling black rubber tube in which it was thrust. In measured tones he read the number, "48,186." The voice of General Beauregard was likewise measured and somewhat harder in its timbre when he called the figures on the white slip of paper which he drew from the little black tube: "200," he said. The rakish-looking man standing nearest to "Old Jubal" exclaimed in loud tones, "48,186". The equally rakish-appearing individual, standing near General Beauregard, cried in sounds which extended across the auditorium to St. Charles Street in front of the theatre "200 dollars". Thus it was that ticket No. 48,186 drew a prize of $200. The rubber cylinders were handed the boy by the box. There were 840 cylinders contained in the small brass drum over which Croupier Beauregard presided and one by one the boy, his assistant, drew forth from each the roll of paper which decided the fate of many a man's or woman's aspirations and hopes. When ten cylinders had been withdrawn from each of the wheels the clerk seated at the table, called in droning tones "Time!" Thereupon "Old Jubal" and his coadjutor, Beauregard, solemnly arose, closed the trap door, and caused the wheels to revolve three times in one direction and three times the other. Then the doors were again opened and the thoroughly shaken up contents were abstracted one by one by the blindfolded boys.

For the benefit of those who are unfamiliar with the little cylinders, I will mention that they are of rubber, about one inch long and one seventh of an inch in diameter, open

at each end. There are 100,000 of these cylinders, corresponding to the number of tickets in the drawing, and in each cylinder is thrust a white paper ticket or slip, on which is printed one of the numbers of the tickets in the drawing, ranging from 1 to 100,000. The small wheel contains similar cylinders, each one containing a slip of paper on which is printed the figures representing one of the 840 prizes in the drawing. The cylinder which contains the slip marked $300,000—the capital prize—is the ultima thule of the hopes of all of those who invest in tickets in the drawing.

One hour passed away. The monotonous voices of the two old generals, and the ligneous tones of the two rakish individuals who—parrot like—repeated their call of the numbers, went on, went like clock work. Only three large prizes of $5,000 each had been taken from the brass drum. Plenty of smaller prizes, $200, $300, and $500 came forth, however. The audience, whose tension was drawn to a pitch corresponding to that of the occupants of the grandstand on the day of Futurity stakes, became restless. Men moved uneasily in their seats. An old woman, evidently one who scrubbed floors for a living, sat near me. She held a ticket in one hand. Whenever a number was called she turned her eyes in a mechanical manner toward the number on the precious slip. Precious? Yes; precious until the last cylinder has been removed from the brass drum. Then I heard her groan and she tore the paper in fragments and flung them on the floor. Soon after 12 o'clock Croupier Beauregard read from a slip of paper he unrolled, $100,000. Loudly the rakish man near to him called forth "$100,000 is drawn!" and he named the number of the ticket unrolled by "Old Jubal!" A buzz was heard on the floor, and men and women looked about them to ascertain if any person present held the ticket bearing the lucky number. Alas, no one gave a sign!

At exactly 12:30 Croupier Jubal unrolled a slip of paper and called "8,132". From Beauregard's side of the green cloth came the answer, "$300,000." The rakish man bawled: "No. 8,132 draws the capital prize of $300,000." The audience remained as still as death for a moment; then a sound of murmur expressive of disgust went up and half of those present hastened out of the theatre. Every ticket holder could not draw the great prize, but the holder apparently thought that his piece of paper ought to have borne the lucky number; hence his wrath. The subsequent proceedings were no longer interesting: One by one the numbers were called, and one by one the numbers in the small drum were read off. Finally the last of the cylinders were removed from the latter, and the monthly drawing was at an end.

> The cylinders in the large wheel remained seemingly undiminished in number. I endeavored to measure with my eyes the extent of the reduction, and I reached the conclusion that the contents of the drum were lowered about half an inch. The several bushels of cylinders remaining corresponded to the number of the tickets that had not been included within the radius of the smile of the Goddess of Fortune. Did each unlucky ticket represent a crushed human hope? By no means, as will be subsequently shown. There were 69 per cent of the tickets in the drawing of March 11, 1890, sold. The remainder, 31 per cent of the whole, were, as unsold tickets, drawn against by the Louisiana Lottery Company. About one third of the ticket numbers, therefore, in the large drum were owned by the lottery, which, of course, took its chances in like proportion in the prizes drawn. How many of the prizes in the month's scheme were drawn by the 31 per cent of tickets unsold and held by the Company does not appear, for the number constitutes one of the secrets of the institution. It is quite reasonable to assume that one third of all the prizes were drawn by the Company on March 11, fairly, of course, according to the system which prevails and which is well understood by the regular purchasers of lottery tickets. How the profits must have rolled in on that day![43]

In a speech in Congress against the Louisiana Lottery Company, Representative Orren C. Moore of New Hampshire said, in part:

> The following has been furnished me as the Actual Financial Exhibit of the Louisiana Lottery Company. Ten drawings per annum—two special drawings.
>
> Income:
>
> | | |
> |---|---|
> | Ten drawings, 1,000,000 tickets @ $20 each..... | $20,000,000 |
> | Two drawings, 100,000 tickets @ $40 each..... | 8,000,000 |
>
> Expenses:
>
> | | |
> |---|---|
> | Prizes, ten drawings..... | 10,548,000 |
> | Prizes, two semi-annual drawings..... | 4,219,200 |
> | Commission to agents..... | 2,000,000 |
> | Advertising ..... | 2,000,000 |
> | All other expenses..... | 1,000,000 |
> | Net Profits ..... | 8,232,800 |
>
> (Four national banks in New Orleans — the Louisiana National Bank, the State National Bank, the New Orleans Bank and the Union National Bank guarantee the prizes drawn.)[44]

[43] Cushing, *op. cit.*, 512-515.

[44] *Congressional Record, House*, 51 Cong., 1 Sess., XXI, Pt. 9, p. 8713.

Another exhibit was submitted to Congress in 1890 by Representative H. Clay Evans of Tennessee. It was identical with that submitted by Mr. Moore except that it left out all expenses other than prizes, Mr. Evans explaining that the profits from the daily drawings undoubtedly paid all other expenses.[45] Evidently Mr. Moore's exhibit was the one used by lottery opponents in their statements about the enormous financial gains made by the Louisiana Lottery Company. That this showing was correct for 1890 cannot be gainsaid; but it should not be overlooked that such stupendous amounts did not obtain before 1888, during which year the drawings reached their maximum amounts. Further, there is every reason to believe that many tickets remained unsold for each drawing.

A statement from the advertisement of the 1890 semi-annual drawing is interesting. There were 100,000 numbers in the wheel, and the prizes were as follows:

	Number of Prizes	Amount
	1	$ 600,000
	1	200,000
	1	100,000
	1	50,000
	2	20,000
	5	10,000
	10	5,000
	25	2,000
	100	800
	200	600
	500	400
Approximation Prizes	100	1,000
	100	800
	100	400
Terminal Prizes	999	200
	999	200
Total	3,144	$2,159,600

The price of a whole ticket was $40, with fractional parts of different sizes, the smallest being 1/40 @ $1.[46]

The daily drawings brought about the severest opposition and condemnation of the Company from residents of New Orleans.

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[45] *Ibid.*

[46] The approximation and terminal prizes, abovementioned, were determined from the winning numbers of the two capital prizes. A concrete illustration will explain this: At one of the monthly drawings in 1890, #65,422 won $300,000, #14,670 won $100,000, and #18,195 won $50,000. The one hundred numbers, 65,372 to 65,472 inclusive, being fifty numbers on each side of the capital prize number, each won $500. Likewise, numbers 14,620 to 14,720 inclusive, each won $300; while numbers 18,145 to 18,245 inclusive, each won $200. The nine hundred and ninety-nine numbers ending in "22", being the last two figures of the first capital prize number, each won $100, as did the nine hundred and ninety-nine numbers ending in "70".

The feeling was general that these drawings made a drain on the earnings of the poor and encouraged petty stealings by the servant class.

Shops were operated throughout the city, but mainly near the markets and saloons. A count showed 108 policy shops at one time. These were either operated or controlled by a ward boss or other politicians, and were licensed to them in return for expected political favors to the Company. Often a shop occupied a space not more than four feet square—just large enough to accommodate a chair and table.

Two kinds of tickets were sold for the daily drawings. One was a printed ticket containing three numbers. The other was "policy", a method whereby the buyer would write his own combination of three numbers. Tickets sold for twenty-five cents, fifty cents, or one dollar. Usually from seventy-five to seventy-eight numbers were put into the wheel and from eleven to fourteen numbers drawn therefrom. The winners were determined by a plan explained on the backs of the printed tickets, and, in the case of "policy", by "gigs", "saddles", or "day numbers."[47]

A statement of the scheme of prizes in a daily drawing with seventy-five numbers put into the wheel and with the eleven numbers drawn therefrom follows:[48]

1	prize of	$4,275.40	$ 4,275.40
5	" "	850.00	4,250.00
16	" "	85.00	1,360.00
50	" "	42.50	2,125.00
43	" "	34.00	1,462.00
50	" "	25.50	1,275.00
64	" "	8.50	544.00
64	" "	4.25	272.00
3,392	" "	1.70	5,766.40
22,176	" "	.85	18,849.60
25,861			$40,179.40

Under such a scheme there were 67,525 tickets at $1 each.

The mode of conducting the daily drawings was explained to Congress by Mr. Evans, as follows:[49]

> Seventy-eight numbers, from 1 to 78, are placed in a wheel, each number inclosed in a tube. Out of this number thirteen are drawn by a blindfolded boy and the numbers

[47] See Chapter II, Footnote 67, above, for an explanation of "gigs", "saddles", and "day numbers".

[48] Cushing, *op. cit.*, 518-519.

[49] *Congressional Record*, 51 Cong., 1 Sess., XXI, Pt. 9, pp. 8713 ff.

are entered on a blackboard in the order in which drawn. The tickets for this drawing are sold at twenty-five cents each for one-fourth ticket and the purchaser is permitted to select and have entered upon the ticket when purchased any three of the numbers from 1 to 78. If the first three numbers drawn from the wheel correspond with the three numbers on the ticket, and are drawn in the order in which they appear on the ticket, a prize of $6,000 is paid (something that has never yet happened in the history of the company and would not likely happen if conducted for the next hundred years). If however, of the thirteen numbers drawn out of the wheel three of them happen to correspond with the three numbers on your ticket, a prize of about $36 is given. By paying an extra twenty-five cents on a ticket you can put what is called a "gig and saddle" on it, then in the event that two of the numbers correspond with any two of the thirteen numbers drawn from the wheel, a prize of $2.45 is paid. There are sundry other ways of betting on this scheme, but these are the most common because the most simple.

By a mathmatical calculation it is found that the chance to win a capital prize is one in 67,525 and when you win it you only get $4,275.40 for $1, as against $15,000 for $1 in the monthly with a chance of one in 100,000. The chance to win a prize of $4.25 is one in 1,237. The chance to win a prize of $1.70 is as one to nineteen.

Take, for instance the "washerwoman's gig"—4-11-44—the chance that these three, or any other three numbers, will, in any order be the first three numbers out of the thirteen taken from the wheel. Five days in the week is the continued product of the numbers 78, 77, 76, divided by 6 which is 76,076, so that 1 in 76,076 is the chance to win. In other words, if one should play this gig every day for 253 years, the mathematical chances are that it would come out once, and after spending $76,076 one would, if it did come, receive the munificent prize of $100.

If you bet that any particular number will be one of the thirteen drawn, your chance to win is 1 in 6, and if you do win you are paid 4 to 1.

Compare these figures with those of the roulette table. Your chances to win there is 1 in 31; if you do win you are paid 27 for 1. The professional gambler, who is denounced by law, indicted by grand juries and hunted by the police as a species of thief, is satisfied with a percentage in his favor of 12 per cent. This gigantic corporation turns its wheel daily for the unnumbered multitude who may bet at its game. The smallest percentage it permits itself to take is 22 per cent. On the most of its game its percentage is from 33 to 41 per cent, and on part of its game incalculable.

> This is the real skin-game annex to the Louisiana State Lottery, and poor servant girls, children, bootblacks, draymen, hackmen, in fact men of high and low degree by the thousands, patronize this scheme. Agents are located at convenient places all over the city where their tickets are sold, and at which places prizes are paid on presentation of winning tickets. There are one hundred and twenty agents and the estimated average receipts of each are from $50 to $60 per day.

The local agent made his daily returns to the central office in time for the drawing to begin promptly at 4 P. M. One drawing served both kinds of tickets, and applied to all tickets sold at the dozens of shops throughout the city. Results of the drawing were printed and sent to the shops immediately after the drawing.

Superstition played its part in the selection of numbers by the players. "Inveterate players stop children in the street and ask their age; they consult voodoo doctors; if they see a stray dog they play 6; a drunken man counts 14 and a dead woman 59; an exposed leg plays 11; and to dream of fish is a reminder to play 13."[50]

There being no limited number of tickets sold, one cannot determine with certainty what were the earnings of the Company from these daily drawings. Gross receipts varied from $60 to $500 at each shop daily. A shop whose receipts fell regularly below the first-named sum was soon closed. The agent's commission was ten percent on "policy" and fifteen percent on printed tickets. One report is that the Company's profits from the daily drawings were large enough to pay all expenses and to leave its monthly drawings clear profit.[51]

In the address of Mr. Evans, hereinabove referred to, an insight is given into the methods employed by the Company in advertising through the mails. It follows:

> About $10,000 worth of postage-stamps and stamped envelopes are purchased monthly by the lottery company. This represents 500,000 letters they mail monthly, or 6,000,000 annually each one of which is a violation of law.
>
> In addition to this the lottery company secures cheap (especially sporting) newspapers to publish their advertisements and send out tons of them to all parts of the United States on pound rates as sample copies.

[50] Buel, *loc. cit.*, XLIII, 620.
[51] *Sunday Record-Herald*, February 24, 1907.

Very recently the *Spirit of the South,* a cheap local sporting paper of limited circulation, sent out in one week 4,947 pounds of sample copies, representing 50,000 copies of the paper. On examination it was found that the paper, in addition to the regular advertisement, contained several columns of local advertisements of the lottery company. The postage paid upon this 2½ tons of paper, representing 50,000 pieces of mail matter, is but $49.47.

To send a lottery circular through the mails under existing statutes is unlawful yet that circular in many cases is exactly the same as the advertisements contained in the newspapers. To send through the mails sealed circulars costs two cents per ounce. Newspapers and periodicals from regular publishers cost but one cent per pound.

To have mailed 50,000 circulars instead of the 50,000 copies of the *Spirit of the South* before alluded to and which contained the same matter would have cost $1,000 for postage instead of $49.47. It is made not only lawful to publish the circulars in newspapers, but much cheaper.[52]

CHAPTER V

THE LOTTERY COMPANY'S TACTICS TO GAIN POPULAR SUPPORT DURING 1890

Introduction—Mississippi River floods of 1890—Lottery Company offers $100,000 to the State for flood control—Another offer of $50,000 to protect New Orleans—Additional donations—Work of the Company's relief boat, the Dakotah—Donations to miscellaneous causes.

Those responsible for the operation of the Louisiana State Lottery Company were shrewd enough to court popular favor by being lavish in their expenditures for public enterprises and in behalf of charity. Members of the Howard family were generous in their benefactions. Back in 1872 Charles T. Howard converted the Metairie Race Course into the beautiful Metairie Cemetery at a total cost approximating $350,000.[1] His enemies claimed that Howard did this in revenge on the directors of the club for their having denied him membership in their organization. Then in 1888 Miss Annie T. Howard had the Howard Memorial Library erected to the memory of her father. This building cost $155,000 and was furnished with books and an endowment by Miss Howard.[2] In the following year Frank T. Howard had the Confed-

[52] *Congressional Record,* 51 Cong., 1 Sess., XXI, Pt. 9, p. 8714.

[1] Henry Rightor (ed.), *Standard History of New Orleans,* 264.

[2] *Howard Memorial Library: Act of Donation by Miss Annie T. Howard, and Charter and By-Laws of the Trustees* (New Orleans, 1889).

erate Memorial Building erected next to the Howard Library at a cost of about $40,000.[3] Other improvements and donations of lesser importance were doubtless made.

It had always been a policy of the Lottery Company to spread the mantle of charity and to foster public improvements. It gave without stint to Louisiana's flood disaster in 1890, as will be shown forthwith.

When the ravages of the Mississippi caused eight crevasses—five above and three below New Orleans—within the first three months of 1890,[4] and other crevasses during the next few months, apprehension of unprecedented flood disasters became widespread throughout the state. The high-water mark of 1874 gave way to a two-inch higher crest early in 1890.[5] Early in March the Mississippi was more than three inches higher at the upper line of the state and more than a foot higher in the lower part of Louisiana than ever recorded before.[6] Not less than eight breaks occurred in the levees in Pointe Coupée and West Baton Rouge parishes during violent rainstorms in April, besides two or three others in Concordia Parish, and a number that happened about the same time on the Atchafalaya and Bayou Des Glaizes.[7] A break in the levee at Nita in St. James Parish caused serious alarm in that section, while crevasses in East Carroll were expected to flood portions of four parishes—East Carroll, Tensas, Madison, and Concordia.[8] A break at Lobdell in West Baton Rouge during the latter part of April brought with the announcement thereof an appeal to the Governor for relief. Governor Nicholls announced that relief expeditions had already been sent by both the state and the Federal government.[9]

The levees were reported to be in better condition than in 1882 or 1884, years of previous disastrous floods, so that Nicholls was optimistic in his report on levees to the Legislature, and said, "From information thus far received, it does not appear that the loss of levees or the damage by the overflow will equal that produced by the great floods of the past."[10] The federal government spent an average of $225,000 in each of the years 1889 and 1890

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[3] *Daily States*, May 11, 1890.
[4] *Daily Picayune*, March 14, 1890.
[5] *Daily States*, March 13, 1890.
[6] *Louisiana House Journal*, 1890, p. 22 (Governor's message).
[7] *Ibid.*, p. 23.
[8] *Daily States*, March 14, 1890.
[9] *Ibid.*, April 23, 1890.
[10] *Louisiana House Journal*, 1890, p. 23.

for levee improvement in Louisiana,[11] and the state government had spent for the same purpose $908,402.55 from April 1888 to April 1890.[12]

The panicky condition that prevailed in the devastated sections brought about an offer of $100,000 from Dauphin, as president of the Louisiana State Lottery Company, to Governor Nicholls, "to be used in your discretion to protect the people of Louisiana against the inundation now apparently so imminent in consequence of the threatening condition of the river."[13] Governor Nicholls refused the offer, giving as his reason that "on the even of session of the Legislature during which the renewal or extension of your charter will be acted upon, I have no right to place the people under obligation to your company in however small degree by my acceptance of a gratuity fund."[14] Dauphin answered that Nicholls had misunderstood the Lottery Company's motive.[15]

Colonel A. W. Crandell of New Orleans, in a letter to Dauphin, suggested that the $100,000 which Nicholls had refused be distributed direct to the people, and proposed an apportionment of the amount to the several levee districts.[16] This plan was acceptable to the Company; and on March 17 Dauphin announced how the money would be distributed,[17] followed on April 19 by an announcement that the money had been expended as proposed.[18]

Another donation made by the Lottery Company at this time was one of $50,000 to the city of New Orleans to fight high-water conditions there.[19] Mayor Shakespeare accepted the offer and his action was upheld by the City Council.[20] This action of the

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[11] *Times-Democrat*, November 9, 1890.
[12] *Louisiana House Journal*, 1890, p. 23.
[13] *Daily States*, March 15, 1890.
[14] *Ibid.*, March 16, 1890.
[15] *Daily Picayune*, March 16, 1890.
[16] *Ibid.*, March 17, 1890. The apportionment suggested was as follows:

To the Fifth Levee District:		$27,000
To the Fourth Levee District:		$47,550
Iberville	$ 8,250	
Lafourche	15,750	
Assumption	6,750	
Pointe Coupee	8,250	
West Baton Rouge	7,050	
Ascension	1,500	
To the Third Levee District:		$13,500
Jefferson	$ 4,500	
St. Charles	4,500	
St. John	4,500	
To the Second Levee District:		$ 6,750
St. James		

[17] *Daily States*, March 17, 1890.
[18] *Ibid.*, April 19, 1890.
[19] *Daily Picayune*, March 15, 1890.
[20] *Ibid.*, March 16, 19, 1890.

New Orleans authorities drew a vigorous protest addressed to the Mayor by the Reverend B. Carradine, pastor of the Carondelet Street Methodist Church. The pastor challenged the Mayor by asking him four questions, which Shakespeare answered in writing without delay.[21]

The Lottery Company's donations of $150,000 was credited as the goading influence which made the Federal authorities come to the relief of Louisiana. This charge was denied, it being shown that Federal allotment of funds for certain levee work in Louisiana had been made before any donations were given by the Company.[22]

Other money donations made by the Lottery Company were an additional $10,000 to the Fifth Levee District,[23] and $1,000, with the offer of still more, to Shreveport to relieve distress caused by the flood in Red River.[24] Besides this, Dauphin authorized the presidents of the Police Juries of Pointe Coupée and West Baton Rouge parishes to draw "on the New Orleans National Bank for $1,000 to $2,500 as your necessities may require."[25] A letter from G. Gardema, Sheriff of St. Martin Parish, to Dauphin, asking for relief from Teche overflows, in the nature of 750 sacks of cotton seed to replant when the water receded, brought from Dauphin an authorization to buy the seed needed.[26]

An appeal from Pointe Coupée for immediate aid resulted in action by Dauphin without delay. He wired, "As the appeal . . . is urgent and time is all important, I hereby authorize you to charter a boat and purchase such supplies and procure such

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[21] *Ibid.*, March 16, 18, 1890.

In substance the questions and answers were about as follows:

(1) Q. Do you realize the harm the acceptance of such a gift from a gambling institution will do in the eyes of the world?
A. "But for the contributions in the world at large, and especially in this part of it, of those tainted with sin, thousands of God's creatures would be worse off than they are. . . . If every dollar stained with wine or crime was cast out, sweet charity's treasure-box would be very empty."

(2) Q. Do you realize the advantage this will give the Lottery Company in the "coming struggle?"
A. No bargain or promise of support was asked or given.

(3) Q. Is the city pauperized in purse and demoralized in moral sentiment to allow a gambling institution to protect and save the city in the present emergency?
A. The city is in debt.

(4) Q. Shouldn't the citizens at a mass meeting decide whether or not they want to accept the gift?
A. I have done my best.

(*Southwestern Presbyterian*, March 20, 1890.)

[22] *Daily States*, April 4, 1890.

[23] *Ibid.*, April 19, 1890.

[24] *Daily Picayune*, May 10, 1890.

[25] *Daily States*, April 19, 1890.

[26] *Ibid.*, May 10, 1890.

labor as are necessary and proceed with as little delay as possible to danger points. Send bills for expenses incurred to me."[27]

Throughout the flood period, the Lottery Company sent its boat, the *Dakotah,* on its "errand of mercy."[28] In the Lobdell break the Company gave $7,500 and sent the boat to help close the crevasse. Men and materials were furnished by the Company.[29] The boat was also used to convey the refugees and their stock to places of safety, 500 persons and 1,000 head of cattle being transported on one occasion from the vicinity of a Pointe Coupée crevasse to Bayou Sara.[30] During the closing of the Hermitage Levee break, the *Dakotah* was used to transport materials to the place and then as a hotel for the three hundred hands employed on the work.[31]

In May 1890, the Lottery Company was requested by E. Fenner to contribute $10,000 to the New Orleans Auxiliary Sanitary Association to operate pumps and flush gutters, and $20,000 for a public bathhouse. Dauphin acceded immediately to the request, and authorized that the work be done at the expense of the Lottery Company.[32] The Association, however, refused to accept the donation.[33]

Lottery supporters were loud in singing the praises of the Company's charitableness, while the opponents maintained that the Company had a selfish motive in making the donations. To what extent each was right cannot be stated with certainty.

CHAPTER VI

THE LOTTERY FIGHT IN THE LEGISLATURE OF 1890 AND ITS AFTERMATH

Introduction—Nicholls' Message—Morris' offer—Another offer—Lottery Bill introduced—Arguments—Progress of the Lottery Bill—Amendments offered—The members explain their votes—The Bill passes both Houses—The Governor's veto—Attempts to override the veto—Change in tactics by proponents—Provisions of the Bill—Demand for a Primary Election—Wells' utterance—Charges of bribery—The St. Amant Case—Morris institutes suit against the Secretary of State—Decision of the Court.

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[27] *Ibid.*, April 19, 1890.
[28] *Ibid.*, May 3, 1890.
[29] *Daily Picayune*, April 26, 1890.
[30] *Daily States*, April 24, 1890.
[31] *Ibid.*, May 11, 1890.
[32] *Ibid.*, May 18, 1890.
[33] *Ibid.*, May 20, 1890.

A preceding chapter chronicled the many successes of the Lottery Company, and showed that by 1889 it was enjoying the period of its greatest prosperity. It was but natural, therefore, for its beneficiaries to endeavor to have the Company continue its existence as long as possible, even though the Constitution of 1879, Article 167, set January 1, 1895, as the date of its termination.

Hoping to gain adherents to the Lottery cause by offering a huge sum for the privilege of recharter, John A. Morris, one of the principal stockholders of the Company, announced, one month before the General Assembly met in 1890, his intention to submit a proposition that would give the State of Louisiana $500,000 per year instead of the paltry $40,000 annual license fee.[1] That announcement was answered by the opponents of the Company in an expression from Louisiana's Governor, Francis T. Nicholls.

On May 12, 1890, the opening day of the session of the General Assembly, Governor Nicholls sent his message to that body. The message consumed twenty-five printed pages,[2] eight of which were devoted to a warning "by anticipation" against rechartering the Louisiana Lottery Company by constitutional amendment. The Governor believed that no amendment should be submitted to the people unless the Legislature was ready to give affirmative approbative action to the measure. He regarded the granting of a charter or contract to individuals or corporations as a matter of ordinary legislation and not of fundamental legislation, as is embodied in a state constitution. He stated that the action of the Constitutional Convention of 1879 (Article 167) "did the State gross wrong and injury," and he maintained that no relief could be expected from court rulings, by citing "Stone *v.* Mississippi" and "New Orleans *v.* Houston" to show that while, in the former, it was held that lotteries came under the police power

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[1] *Daily States*, April 18, 1890. The declaration follows:

"New Orleans, April 17, 1890.

"Editor *Daily States*—

At the approaching session of the Legislature of this State, I shall submit a proposition for the privilege of maintaining a lottery in Louisiana. For this privilege I will offer to pay to the State, quarterly in advance, the sum of $500,000 per annum, or $12,500,000 for the franchise for twenty-five years. This annual license of half a million dollars, I would propose to have devoted: One-third to the public school system of the State; one-third to existing charitable institutions and such others as may be created; and the remaining third to the constitution, maintenance and repairs of levees. I trust that you will give this proposition calm consideration, and let the people of the State know your views on the subject. It is a question which members of the press should consider, I think, without prejudice of any kind, looking only to the best interests of the State.

Yours truly,
John A. Morris."

[2] *Louisiana House Journal*, 1890, pp. 7-32.

of the state, yet, in the latter, the courts held that constitutional action withdrew the matter from under the police power of the state.

Answering the claim that if the Lottery Company should be protected under the Constitution it would not interfere in politics, Governor Nicholls said:

> It is pure folly to say that a corporation holding its privileges under a constitutional article would abstain from politics. In the first place there would be a constant claim by the general assembly of a power of regulation under the police power of the State, and in the next place a constant danger of the calling of a constitutional convention or the submission of a constitutional amendment, menacing the company and its so-called rights. Here we have a continuing motive in the company for having its creatures not only in the General Assembly guarding its interests against adverse legislation, but also among judges to pass upon statutes, among governors to make judicious selections of judges, returning officers and other officials in the State, and among U. S. Senators and members of the lower house of Congress to check injurious legislation in Washington. The lottery could and would take no risks in these matters, but would be forced to stand constantly prepared and equipped, just as far as it could, whenever and wherever it could, to protect what it would think proper to call its "sacred rights." Lottery creatures would be on the floors of the General Assembly, Senate and House—lottery creatures in the judiciary—lottery creatures everywhere, in all offices and in all places. . . . The whole election machinery of the State would be placed, substantially and practically, in its hands, and all the officials of Louisiana would hold office under its dictation and subject to its demands.

Viewing the matter as a moral evil, the Governor contended:

> I think it was an outrage on other States and a disgrace to ours to make Louisiana the acknowledged headquarters of gambling, and to legalize an institution avowedly based upon certain losses and certain impoverishments to others, and still greater outrage and still greater disgrace for the commonwealth to be a partner in such a transaction. Nothing better could have been expected of the Legislature of 1868. If civilized nations have ever tolerated gambling or the social evil at all, they could certainly with no sort of decency make money derived from licensing such business exceed the amounts necessary for the purposes of regulation or apply those moneys for the objects foreign to the regulation thereof. A government, carrying on its legal operations,

> its schools, its public institutions, or building its levees from the proceeds of moneys drawn from houses of ill-fame or gambling, would be justly stamped and spurned as a degraded sister among the States of the Union, and would place a brand of shame upon the forehead of its people.

Countering the argument that lotteries are a necessary evil, the Governor maintained:

> I have no hesitation in saying that the selling of lottery tickets in this State, in violation of law by agents of outside companies, would be an infinitely smaller evil and could be productive of infinitely less harm than the existence of a legalized lottery in Louisiana, selling its tickets openly under the protection of the law. The agents of the former skulk about corners and bar-rooms and the results of the corruption reach no further than the debauching of a few subordinate and insignificant officials, and such injury as flows from the sale of a comparatively small number of tickets in a few localities; whilst the sales of the legalized lottery extend over the country and the tickets are scattered broadcast in immense numbers over the whole State, and the company, standing on the vantage ground it does (its stockholders toiling not and spinning not, yet amassing immense fortunes), enters into a broader and higher field of corruption.

The House sent the message to the Committee on Constitution and Executive Messages;[3] the Senate sent it to "appropriate committees" and ordered 5,000 copies of it printed "for the use of the Senate."[4]

On the following day news dispatches from Baton Rouge told that Morris would offer to pay an annual license of $1,000,000.[5] Following this announcement came an explanation from Morris that, although $500,000 would be satisfactory compensation, he would double the amount to supply "the absolute wants of the State."[6]

Another proposal was received by Governor Nicholls, who refused to give it any consideration. It was reported to have been made by H. S. Davis from Memphis, Tennessee,[7] but it was

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[3] *Ibid.*, p. 32.

[4] *Louisiana Senate Journal*, 1890, p. 30.

[5] *Daily States*, May 13, 1890.

Morris had become a pillar of the Lottery Company by 1879.—(Buel, *loc. cit.*, XLIII, 623.) It has been asserted that Morris drew an income of $600,000 a year from the Lottery.—(Edward N. Vallandingham, "Lotteries in the United States," in *Chautauquan*, X, 689.)

[6] *Daily States*, May 15, 1890.

[7] *Daily Picayune*, May 22, 1890.

charged that it was in reality from Zacatecas, Mexico: "Our company desires to submit proposition for charter on basis similar to terms offered—$1,000,000 for 25 or 50 years, not requiring exclusive privilege."[8]

The opening gun in the legislative fight was fired on the eighteenth day of the session (June 4), when S. O. Shattuck[9] of Calcasieu gave notice that he would introduce a bill "providing for the submission to the electors of the State for adoption or rejection an amendment to the Constitution of the State by inserting therein 'an article on levees, schools, charities, drainage and lotteries'."[10] He followed this announcement by introducing, on the next day, a resolution that provided for a special committee of nine members, by name, to take charge of all bills relating to constitutional amendments on the subject of his previous day's notice.[11] The resolution was adopted by a vote of 49 to 26, with 21 absentees, only after considerable discussion,[12] it being charged that such a committee was unnecessary, and that the resolution was but a device to assist in legislation favorable to the Louisiana State Lottery Company. Simultaneously with the introduction of the above resolution came the rejection[13] of one which the opposition had introduced on May 27,[14] providing for a committee of five to investigate whether any undue influence had been brought to bear upon any members of the House by the Louisiana Lottery Company.

Practically every legislative move on the lottery matter brought about argument. The opposition to the appointment of the special committee in the House has been referred to. The next expression was the one on the committee's report. The majority report,[15] signed by Bernard C. Shields, S. O. Shattuck, Gilbert L. Dupre, T. B. Gilbert, Thomas O'Connor, and Theophile T. Allain, favored the bill on two principal grounds: (1) That it was true democratic policy to let the people decide; that since the proposition affected them and them alone, both as to morals

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[8] *Ibid.*, May 23, 1890.

[9] In an interview with the writer in 1928, Mr. Shattuck explained his reasons for introducing and supporting the bill: (1) He was personally opposed to lotteries, but believed in 1890, as he still did in 1928, in letting the people vote on all proposed constitutional amendments; (2) He wanted to get as high a license as possible in the event of recharter and felt that by introducing the bill he could demand of the Company that a license of $1,000,000 per annum be offered.

[10] *Louisiana House Journal*, 1890, p. 199.

[11] *Ibid.*, p. 209.

[12] *Ibid.*, pp. 221-223.

[13] *Ibid.*, p. 126.

[14] *Ibid.*, p. 213.

[15] *Ibid.*, pp. 313-315.

and as to money, "the electors of this State, after two years of careful and dispassionate examination of the subject, will be at least as competent to decide for the honor and welfare of Louisiana, as this General Assembly, after a heated examination of two weeks;" and (2) that since the State needed the money to combat the Mississippi River flood disasters and to provide for schools, the insane, and the deaf, dumb and blind, "the offer of John A. Morris is a solution to the whole difficulty; it means levees, schools, pensions, charities and extinguishment of the State debt."

The minority report,[16] signed by J. M. Kennedy, H. P. Wells, and Felix J. Dreyfous, termed the proposition of Morris "a bare offer to buy a State and to bribe its people to enter into an infamous bargain." It cited that no such institution then existed in any other state. Then it reported that, as to Louisiana needs, the reports of the State Auditor and State Treasurer showed that there would be a surplus in the general fund in 1890. It argued that as to caring for the charitable institutions the general appropriation bill made ample provisions. As to the flood situation, the minority reported that it did not desire to underestimate the damages and devastation wrought by the floods; but it claimed that funds were available in the several levee districts to make certain repairs, and that, furthermore, "it is admitted on all hands that it is necessary for complete and permanent protection, that the General Government should build and maintain the levees and take charge of the whole system; and we loudly assert, and truthfully, too, that it is its duty to do so, as the Mississippi River is the great highway of internal commerce in this country, and receives the waters from two-thirds of the States.[17] We all fervently hope for such a consummation, and are bending our energies to that end. We should not, then, place any obstacle to the accomplishment of this purpose, which is admittedly the only ultimate solution of the levee problem."[18]

Another argument advanced by the minority was that, as a business proposition, the state would lose:

> This sum appears large, but it is deceiving, and is really much less than should be paid under the revenue laws as they now exist, and less than what is paid by legitimate callings with a like amount of capital. The shares of the

[16] *Ibid.*, pp. 315-323.

[17] How strikingly similar to the pleas made by Louisianians during the 1927 flood disaster!

[18] *Louisiana House Journal*, 1890, p. 320.

> Louisiana Lottery Company, which will go out of existence in four years, are quoted at $1,200. It is reasonable to suppose that the shares of the new company, with twenty-five years to run, will be worth at least as much. Therefore, 50,000 shares at $1,200 per share represents $60,000,000. The State tax of six mills on this would be $360,000. The city tax of the city of New Orleans at 2.02 per cent (which was the amount then levied), would be $1,212,000. And the license predicated on the gross receipts, which is, say $30,000,000 per annum, and taking for basis the kindred business of whisky selling, would exceed the sum of $200,000. Total taxes and licenses, $1,772,000, or about three-quarters of a million more than the amount now offered for the franchise. And thus the State would be a loser by that amount.[19]

The minority also advocated the rejection of the proposition because of its political dangers. It predicted:

> Its creatures would be found in every department of the government—in the executive chair of the State, taking care indeed that the laws be faithfully executed, but in the interest of the lottery company; on the bench, construing the laws carefully indeed, that no harm should come to the lottery; and on the floor of both Houses of the General Assembly, pledged and bound, indeed, to shape legislation and enact laws, not in the interest of the State, but in that of the lottery. And it would even be forced to enter the halls of Congress to protect its nefarious traffic from attacks which would surely come from national legislation.[20]

Finally, it was maintained that the Legislature should submit to the people only those measures proposing constitutional amendments upon which two-thirds of the General Assembly place their stamp of approval and recommendation.[21]

Before the bill was ordered engrossed and passed to its third reading, the opponents tried to postpone its further consideration until the special committee had reported on a memorial that had been presented to the House on the preceding day.[22] This memorial was in the nature of another lottery offer[23]—from Benjamin Newgass, per H. Beer, proposing to pay $1,250,000 per annum for exclusive privileges to operate lotteries in Louisiana. (It should be remembered that House Bill No. 214 originally provided for a license fee of $1,000,000 per annum.) The special

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[19] *Ibid.*, p. 321.
[20] *Ibid.*, p. 322.
[21] *Ibid.*, p. 323.
[22] *Ibid.*, p. 369.
[23] *Ibid.*, p. 342.

committee reported favorably on the Newgass proposition, and suggested that the memorialist draw up a bill. This was done by D. W. Pipes of East Feliciana, who introduced House Bill No. 290; the bill was referred to a special committee but received no further action.[24]

On June 20, 1890, House Bill No. 214 was taken up on third reading. An attempt, by a member of the opposition, to resolve the House into a committee of the whole for the purpose of considering amendments to the bill was voted down.[25] On the following day, one of the advocates of the bill read into the House record a letter from John A. Morris. It read:[26]

Baton Rouge, June 20, 1890.

My dear Sir:

In response to your question as to what I am willing to do in relation to the levees, I beg leave to say that if my proposition goes through the Legislature and is submitted to the people for their approval, I stand prepared to advance one million of dollars in 1890 for levee building and repairing in the different parishes of the State, and the same amount in 1891, said sums to be returned to me out of the sums to go to levees in the present bill.

Yours truly,
John A. Morris.

Then H. C. Newsom of St. Helena, an opponent of the bill, moved that further consideration of it be deferred until June 24; which was agreed to.[27] On that day, further postponements followed,[28] and on the following day the House made minor amendments, and passed the bill by a vote of 66 to 29, with three absentees,[29] the exact number of votes required.

During the roll call many members explained their votes.[30] The explanations are important and interesting, inasmuch as they represent an epitome of arguments pro and con that were current. P. S. Lawton of Orleans voted "Yes" because he had been requested to do so by petitions from a majority of his constituents, and he supported the Morris proposition because it was to be amended in the Senate to $1,250,000 per annum to match the Newgass offer. S. T. Jackson of West Carroll believed

[24] *Ibid.*, Calendar, p. 81.
[25] *Ibid.*, p. 382.
[26] *Ibid.*, p. 387.
[27] *Ibid.*
[28] *Ibid.*, pp. 407, 412, 415, 429.
[29] *Ibid.*, p. 432.
[30] *Ibid.*, pp. 432-443.

that he would be less than a true Democrat were he to withhold this question from the people. Thomas M. Wade of Tensas "decided to represent the expressed wishes of the white Democratic voters of the parish of Tensas, rather than vote in accordance with the dictates of my conscience, my inclinations and my judgment." Will I. O'Donnell of Orleans thought it was right to submit the amendment to the people. Thomas O'Connor, Sr., of Orleans expressed the same view. A. W. Faulkner of Caldwell voted "Yes" because it would be autocratic and emperious not to submit the amendment to the people, and because if the amendment were adopted it would mean "the increased intelligence of the people, and their increased material prosperity, and that too without increased taxation." L. Caspari of Natchitoches looked at it from a plain business view and did not care for any political undercurrents. J. M. Stallings of Lincoln would not support the lottery proposition at the polls, yet voted "Yes" in order to let the people decide; for, said he, "Blinded, indeed, by prejudice or fanatical passion must be he who cannot see the distinction between the anxious desire for the people to finally settle this question for themselves, and an advocacy of the proposition."

The explanation of Aristide Barbin of Avoyelles was one of the longest given.[31] It contains such a splendid resume of the views of the proponents that it deserves being quoted in full:

> Mr. Speaker—I shall vote for the submission to the other people of the State the question whether the Louisiana Lottery Company shall be extended or not, for the following reasons:
>
> First—Because our State in its financial condition is unable to advance the schools as I would like to see them advanced.
>
> Second—Because what the Company offers would help to build our levees, and sustain our hospitals, asylums and other charitable institutions, which I fear otherwise would be neglected for want of means.
>
> Third—I vote this way because my vote is not final. If I vote right the people can approve it; if wrong, they have a fair opportunity to say so.
>
> Fourth—I vote yes because it is not taking one cent from the people of our State forcibly. If any one wishes voluntarily to pay anything towards defraying the expenses of the State by buying lottery tickets it is his own lookout.

[31] *Ibid.*, pp. 441-442.

And if the people of other States and countries wish to play at this lottery and in a manner help pay the debt of our State which is large, and which was largely contracted without our consent and by the influence of people from other States, backed by federal bayonets, I have no objections.

Another reason why I vote yes, is that most of the money played in this lottery comes not from the people of our State. Where one dollar comes from Louisiana one thousand dollars comes from other parts of the world.

The opponents of the lottery say it is immoral; if so, all those who play at it must be immoral, and I certainly have no objection that the immoral people, whether residing in our State or elsewhere, pay to build our levees, support our schools and sustain our hospitals and asylums and other charitable institutions.

Mr. Speaker—I am unable to see how I can be blamed for voting in favor of the extension of the charter of this institution, which offers to pay to the State the sum of $1,000,000 per annum for twenty-five years, making an aggregate of $25,000,000. I look to the past for my justification. From 1861 to 1865 we had the war by which we lost many of our most chivalrous citizens and all of our property. We were left after the war with nothing but our brave and devoted wives and their children to encourage and cheer us on to go to work to make a living; we went to work to recuperate our misfortunes. What was the next thing we met?—our ex-slaves made voters, headed by illdisposed white men from the North, who took hold of our State government and disfranchised us by counting out our votes. The ballot-boxes were taken possession of by those illdisposed men, the most of them strangers to us, who manipulated the ballots and counted them or not, but invariably the returns were made to suit their purposes, and no one suited our enemies; with their own men counted elected, a body was formed in 1868 which they named a Legislature. That Legislature enacted exactly what laws they saw proper, and from 1867 to 1877, these shameful bodies ran our State in debt by over $20,000,000. We kept on fighting for the reins of our State government and would have succeeded much sooner but for the backing these enemies had in the Federal government. At last, however, when the whole world could see that we had nothing left, neither property nor the right to own any, we were permitted to again get hold of the State government. When we did succeed, we found that our State owed from twenty to thirty millions of dollars. We went on, administered the government, paid heavy taxes, and in 1879 called a State Convention and changed the State Constitution, and succeeded in reducing the State debt to something like $14,-

000,000 to $16,000,000, on which we pay a yearly interest, added to our yearly expenses making a sum so large that all the revenues of the State are insufficient to pay it. When are we going to pay the principal of our State debt? When will we be able to pay it? Are we going to hand it down to our children? Will they be more able to pay it than we are? I think not. I think that it is our duty to pay off this debt as soon as we can. It is no use to cover up our misfortune. We owe a large debt, not one we honestly contracted nor one that did any good to our State, but one we have consented to pay, such as it was.

On principle, I am opposed to lotteries or any game of chance, and hate to pay a State debt dishonestly contracted; but as we have assumed the payment of it, let us pay it as soon as possible and by all means in our power that are not dishonest. We found in the household of the Republicans who had our State government in hand, this machine by them created. Now, as I say, we have to pay these millions of dollars they have saddled us with; let us keep this wonderful machine, in order to help pay this large debt. I think we had better do that, school our children, take care of our sick, infirm and insane and build our levees, than to put on airs of morality, hand down to our children this large debt bearing interest, neglect the education of our children, abandon our sick, infirm and insane and let the waters of the great Mississippi inundate our rich lands.

We have one consolation which is, that the Republicans cannot blame us for continuing this institution, for it was invented and created by them when they had the full and entire management of our State affairs.

More sundry were the reasons given by those who opposed the measure.[32] G. A. Bruton of Union didn't want to advertise to the world that the Louisiana Legislature had taken the "damnable gambling institution to our bosom." R. H. Curry of Bossier believed that the lottery money would control commerce and industry and even the liberty of the people. G. W. Bolton and S. F. Meeker, both of Rapides, thought lotteries morally wrong, believed the proposition to be one that would beget extravagance and corruption in state government, and feared that the agitation of the question at a general election would "result in turning over the State to Republican rule." G. L. P. Wren of Webster didn't want the fair name of the State "to be tarnished with this iniquitous curse." H. C. Newsom of St. Helena voted "No" as his personal convictions and with the approval of his constituents,

[32] *Ibid.*, pp. 432-443.

as did J. M. McCain of Winn. A. T. Nelson of Claiborne gave five reasons for opposing the proposition: (1) It was like a bribe; (2) It was unconstitutional; (3) It would tend to immorality; (4) It was monopolistic; (5) It would tend to revolution. Frank Marquez of Orleans could not consent to surrender the control of the State forever to a moneyed corporation. Joseph A. Loret of St. Mary favored a State Lottery, if such an institution had to exist. Charles Kilbourne of East Feliciana voted "No" because of the present Company's political power, and because he opposed lotteries and monopolies. B. F. Jenkins of DeSoto opposed the "bartering away of our statehood and manhood." J. M. Kennedy of East Carroll believed the proposition to be financially unsound, morally corrupting, and politically destructive of honesty. Joseph E. Gilmore of Orleans and W. L. Doss of Morehouse opposed the bill from moral, political and business standpoints. Euclid Borland of Orleans saw in the question "a lever to foist on us again Radical rule, a ladder by which black Republicans may climb to power." Felix J. Dreyfous of Orleans[33] presented eleven cogent objections.[34]

I vote "No" for these reasons:

1. That the term of duration of the company is too long.

2. That it creates a monopoly.

3. That it contains an unfair distribution of the money particularly with relation to the city of New Orleans.

4. That the adoption of the bill will disrupt society, disturb the peace and cause bloodshed.

5. That the assistance of professional politicians being necessary for the adoption by the popular vote of the proposed Constitutional amendment, not only will their services be rewarded by John A. Morris throwing to them the offices of trust, but by putting in their hands the means of perpetuating their misrule.

6. That it will be an open wedge to corruption and misgovernment.

7. That it is the duty of legislatures to pass laws for the suppression of crime and not for its management.

8. That the engraving in the Constitution of a contract admissibly against public policy, *contra bonos mores,* repre-

[33] Mr. Dreyfous told the writer in 1928 that his most strenuous objection to lotteries was the daily drawings (See his No. 11 reason, below). He also stated that overtures were made to him to support the bill, with promises that a part of the license would be stipulated to care for organized Jewish Charities. On this point Mr. Dreyfous' answer was that he represented the Sixth Representative District of New Orleans and not the members of his own religious faith.

[34] *Louisiana House Journal,* 1890, pp. 439-440.

hended by law and society, is an outrageous and abominable precedent, calculated to reflect disgrace on our State and affix a taint that years will never efface.

9. That if the acceptance of the Morris proposition be considered a matter of financial policy, it will not hold, for the reason that if the gambling concern was merely permitted to exist, and placed on the same footing as our most favored, and certainly more honorable institutions, the State and city would be entitled in taxes and licenses to at least $1,750,000, or three-quarters of a million in excess of the sum offered by Mr. Morris as the price of the dishonor of the State.

10. That it is an unjust discrimination in favor of an immoral corporation as against honest labor and industry.

11. And that it permits the existence in the city of New Orleans of daily drawings, which the strongest advocates of the lottery admit to be the worst form of gambling, engulfing the savings of the working classes, making the poor poorer, encouraging crime, leading the old and young to vice and perdition and destroying family ties.

The Senate vote on the amendments recommended by its Committee on Health and Quarantine, to which House Bill No. 214 had been referred, was 23 to 10, with three absentees.[35] The principal amendment was to increase the license fee from $1,000,000 to $1,250,000 per annum, the extra quarter-million to go to the general fund.

After the vote, Senator Murphy J. Foster of St. Mary offered eight amendments:[36] (1) That a fifty-fifty split would be made after the Company should pay its $1,250,000 to the State and then make a like amount for itself, and providing for an audit of the Company's books; (2) Against the Company using money to influence voters when the amendment should be submitted to the people; (3) Against John A. Morris using money as in (2); (4) Allowed charters to other lottery companies paying a license of $1,250,000 per annum; (5) Provided for the form of ballot; (6) Provided for the method of balloting—by signed ballot; (7) Specified the duration of the privilege to be for five years instead of twenty-five; (8) Made no exemption in favor of the Lottery Company from all parish and municipal taxes and assessments. These proposed amendments were voted down separately, each vote being either 11 yeas and 22 nays, or 12 yeas and 21 nays.

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[35] *Louisiana Senate Journal*, 1890, pp. 309-310.

[36] *Ibid.*, pp. 310-312.

Senator William W. Vance then offered six amendments:[37] The first prohibited daily drawings; the second provided that sixty-five percent of the scheme should be distributed in prizes; the third provided for forfeiture of the grant for certain violations; the fourth allowed any subsequent legislature to propose a constitutional amendment that would abolish the grant; the fifth, that all records and affairs of the Lottery Company be open to inspection by certain state officials or bodies; the sixth prescribed citizenship in Louisiana by Morris or any of his assigns and limited their buying stock in other corporations or owning real estate. These amendments were also voted down, each by the same vote recorded on the Foster amendments.

The vote on the final adoption of the bill in the Senate was identical in nature with that in the House—the exact two-thirds required by the Constitution. Several Senators—Cross, Decker, and O'Sullivan—gave oral explanations of their votes, while others sent up written explanations.

The reasons given by the Senators were chiefly a repetition of those offered by the House members.[38] Senator Robert F. Guichard wrote: "The question before the Senate is not whether or not the Louisiana Lottery Company is to be rechartered, but whether or not the people of this State shall have the right guaranteed by the constitution of being heard upon this important question." This idea was the central theme of the explanations made by Senators J. Numa Augustin, Albert Estopinal, Alfred Goldthwaite, Charles P. Hampton, Joseph Henry, George W. Montgomery, Charles T. Soniat, and Charles H. Schenck. The financial betterment of the state by the enactment of the bill was emphasized by Senators William J. Behan, Thomas A. Cage, Henry Demas, and Richard Simms. Senator Ivy I. Davis' explanation epitomized the arguments for the affirmative. He wrote:[39]

> I vote "Yes" on this question—
>
> (1) Because this action is not a finality, but merely following a Democratic principle; that the people are a supreme power, and if submitted to them, they can do no wrong.
>
> (2) Because, by a refusal of this General Assembly to submit this question to the people in the form of an amend-

[37] *Ibid.*, pp. 312-314.
[38] *Ibid.*, pp. 327-341.
[39] *Ibid.*, p. 333.

ment, it would continually be presented to them in a form more disastrous and dangerous to our people, our party and our State, than in its present shape.

(3) Because I believe the prosperity of the State, with the present charter, is an irrefutable argument against any fear of danger to any of our institutions, by a continuance of the same charter.

(4) Because recent calamities and overwhelming disasters have rendered the aid proposed by the promoters of this scheme absolutely indispensable; and surely this license is no more immoral or wrong than the license to sell whisky, deal in futures, etc., as now permitted by law.

(5) Because I believe by refusing a charter there will be as many bad influences exerted as though we legalized the business and reaped the much-needed revenues which its sanction would secure.

(6) Finally, I vote yes because the opponents of the measure have battled against it with a blind fanaticism that listened to no method by which it could be finally and intelligently passed upon by the tax-paying, property-holding citizens of Louisiana.

The opposition based their stand upon four main points: (1) Senator O. P. Amacker thought it wrong to shirk the responsibility of a bad measure by sending it to the people; (2) Senator J. H. Duggan believed it to be unconstitutional; (3) Senator Auguste Levert refused to surrender political independence for any money consideration; (4) Senator Frederick Seip frowned upon the moral evil.

The reason given by Senator Murphy J. Foster[40] and the one given by Senator Lloyd Posey deserve special attention.[41] The former declared, "For my country and her honor, for my State and her good name, for her dead and for her living, I vote No." The latter replied, "For my country and her poor, for her helpless and insane, for her onward march and future, I vote Yes."

Governor Nicholls promptly vetoed the bill. In returning the bill unsigned to the House, the Governor sent a message.[42] He labored at length to disprove the claims made that the financial needs of the State warranted a continuance of the lottery evil. He implied that corruption had obtained in the Legislature by asking, "Is there nothing deeply significant in twelve of the

[40] *Ibid.*, p. 334.
[41] *Ibid.*, p. 337.
[42] *Ibid.*, pp. 413-415; *Louisiana House Journal*, 1890, pp. 568-571.

votes in the House and of four of the votes in the Senate, by which that exact majority was reached?" In the concluding paragraph, the Governor stated:

> At no time and under no circumstances will I permit one of my hands to aid in degrading what the other was lost in seeking to uphold[43]—the honor of my native State. Were I to affix my signature to the bill I would indeed be ashamed to let my left hand know what my right had done. I place the honor of the State above money, and in expressing that sentiment I merely voice that of thousands and thousands of brave and true men and of good men and devoted women of the State.

The test then was to determine whether the Legislature could muster enough strength to override the veto. The House did so by a vote of 66 to 31, with one absentee, and then requested concurrence by the Senate.[44] In explaining their votes, more than twenty members denied the necessity of having the Governor's signature affixed to a bill passed by a constitutional majority of both houses of the General Assembly.[45] These explanations were not only a challenge to the Governor's power, but also an indication that the Lottery supporters would test their claims in the courts.

A serious difficulty presented itself in the Senate. That body had originally passed the bill by exactly the necessary two-thirds vote. Following that vote one of the Senators who had supported the bill became critically ill, and could not be present in the Senate.[46] Judging from the postponements from hour to hour and the several recesses called,[47] the Senate was not ready to vote on the measure until the constitutional number required to override the veto (twenty-four votes) could be obtained. A test vote on a motion to postpone consideration of the bill showed 23 yeas, 12 nays, and one absentee.[48] Thereupon, Senator Posey introduced the following motion:[49]

> I move under and by virtue of Article 33 of the Constitution that the Senate, with the consent of the House, shall proceed at 12 o'clock M., July 10, 1890, to the Mayer Hotel, where our brother Senator J. Fisher Smith lies criti-

[43] Nicholls lost his left arm at Winchester and his right leg at Chancellorsville, while a Confederate soldier. *Louisiana Reports*, Vol. 131, xxvii-xxviii.
[44] *Louisiana House Journal*, 1890, p. 590.
[45] *Ibid.*, pp. 590-593.
[46] Senator J. Fisher Smith. See Footnotes 93 and 97 of this Chapter.
[47] *Louisiana Senate Journal*, 1890, pp. 415-418.
[48] Ibid., p. 418.
[49] *Ibid.*, p. 421.

> cally ill, but sound in mind, and, in accordance with his request, that the Senate then and there do sit to vote upon his Excellency's veto message on the lottery amendments, which is known as Bill 214 of the House.

This motion was withdrawn before being voted upon.[50]

The next move was to send the House Bill No. 214 and the Governor's veto thereof to the Judiciary Committee "for consideration and determination."[51] Eight members of that committee signed the majority report,[52] that there was "no necessity or propriety under the Constitution to submit a bill proposing a constitutional amendment to the Executive for approval," and citing Article 256 of the Constitution as the authority. The other five members of the committee cited Articles 75 and 76 of the Constitution to prove that the Governor's signature was necessary. Their report charged "that the contention now made is an afterthought, suggested by the impossibility, under which the friends of the bill now find themselves, of passing it by a two-thirds vote."[53] The Senate adopted the majority report, which included a return of the bill to the House.[54]

Following several parliamentary delays, the House adopted the motion made by Bernard C. Shields of Orleans that "it is the sense of this House that we heartily agree and concur in the action of the Senate, and adopt their reasons as ours, and that the clerk of the House be instructed to deliver to the Secretary of State for promulgation enrolled House Bill No. 214 with a certified copy of the proceedings of this House on the said bill, and to take the receipt of the secretary of state for the same."[55] This brought to an end the action of the Legislature on the Lottery Bill. The matter was put into the hands of the Secretary of State for his action.

An analysis of the bill is now in order. House Bill No. 214, otherwise known as Shattuck's Bill or the Lottery Bill, as finally amended and passed, was in the nature of a constitutional amendment that had as its chief provisions: (1) that John A. Morris, his heirs, agents and assigns were given a twenty-year contract at $1,250,000 per annum, beginning January 1, 1894, to conduct lotteries in the State; (2) that the money would be applied an-

[50] *Ibid.*, p. 422.
[51] *Ibid.*, p. 423.
[52] *Ibid.*, p. 424.
[53] *Ibid.*, p. 425.
[54] *Ibid.*, p. 426.
[55] *Louisiana House Journal*, 1890, p. 628.

nually as follows: (a) to public schools, $350,000; (b) to levees, $350,000; (c) to charities, $150,000—$80,000 to state hospitals, $40,000 to insane hospitals, $25,000 to deaf, dumb and blind institutes, and $5,000 to a Soldiers' Home; (d) to pensioning Confederate soldiers resident in Louisiana, $50,000; (e) to New Orleans drainage, $100,000; (f) to the general fund, $250,000; (3) that Morris file acceptance, consent, and bond within a specified time; (4) that the corporation be named the Louisiana Lottery Company, with capital stock of $5,000,000—50,000 shares at $100 each par value; (5) that the corporation be exempted from all other taxes, dues, assessments, impositions and licenses of any kind; (6) that all other lotteries be prohibited, unless by similar amendment to this Constitution, and for not less than $1,000,000 per annum; (7) that the Secretary of State publish the amendment within ninety days after January 1, 1891; (8) that the electorate vote on the amendment at the next general election.[56]

A very colorful account of the struggles encountered by the proponents of the amendments in getting the bill passed by the House follows:

> Once, just as the bill was about to be put upon its passage in the House, one of its members, "convert" from the anti-lottery side, was seized with a sudden illness, which threatened his life and compelled his instant withdrawal from the chamber. . . . Again, the bill was about to be put upon its passage, . . . when a member of the body, who had that morning for the first time announced his intention of voting for the bill, suddenly fell, stricken with something akin to paralysis and was borne out of the hall, never to enter it again during the session. Again the bill was postponed. [Then Shattuck's illness caused further delay. Finally,] its passage was effected during the most violent storm which had ever raged in Baton Rouge. The rain poured in torrents, the winds lashed the walls of the statehouse in fury, the deep-toned disapprobation of the outrage which was being perpetrated, the lightning played almost constantly around the building, and just as the representative who had it in charge cast his vote the capitol was struck by lightning. It seemed as if the Supreme Ruler of the Universe was expressing his condemnation of what was being done.[57]

The battle in the Legislature included, quite naturally, attacks upon some of the individuals. Governor Nicholls did not

[56] *Ibid.*, pp. 430-432, 523-524.
[57] *New Delta*, May 12, 1892.

escape. He was accused of being narrow,[58] of having established "ringism" in its most aggravated form,[59] and of being inconsistent.[60] Representative H. P. Wells of Richland was quoted as having made the following statement: "There are twenty-eight of us in the House of Representatives who feel one another's pulse every morning, and every one of these men would rather see their mothers give birth to a bastard than to recharter the Lottery Company."[61] This statement was called "loathsome, nay damnable,"[62] and Wells was severely condemned.[63] Wells denied having uttered the metaphor, but Gilbert L. Dupre of St. Landry was reported to have claimed that Wells had made the remark.[64]

Pressure was brought to bear on several members of the Legislature to vote for the Lottery or resign. These included Senators Auguste Levert, Oliver O. Provosty, and George W. Montgomery,[65] and Representatives Euclid Borland[66] of Orleans, A. A. Batchelor[67] of Pointe Coupée, and Felix J. Dreyfous[68] of Orleans. This pressure had no effect. Borland was termed "a wide-awake Mexican Lottery magnate,"[69] and Dreyfous "a political traitor."[70]

Charges of bribery were intimated against several members. Governor Nicholls' insinuation about twelve members of the House and four members of the Senate, and the statements of the *New Delta* against two of the members of the House, have been mentioned. Senator J. Fisher Smith was accused of having been bribed, but no charges were brought against him. Senator Smith died on the day that the Legislature adjourned *sine die*, and, in commenting upon his death, one newspaper stated, "Let vulgarians and traducers say what they may."[71]

Only one charge of bribery was made directly against a member. This was when the opposition exploded a bombshell by having Representative A. Joseph St. Amant of Ascension arrested. The information cited that St. Amant had received

[58] *Daily States*, May 14, 1890.
[59] *Ibid.*, June 18, 1890.
[60] *Times-Democrat*, July 17, 1890.
[61] *Daily States*, May 5, 1890.
[62] *Ibid.*
[63] Baton Rouge *Weekly Louisiana Review*, May 21, 1890.
[64] *Daily States*, June 21, 1890.
[65] *Daily Picayune*, May 22, 1890.
[66] *Ibid.*, June 13, 1890.
[67] *Daily States*, May 29, 1890.
[68] *Ibid.*, June 9, 1890.
[69] *Ibid.*, May 25, 1890.
[70] *Ibid.*, June 9, 1890.
[71] *Ibid.*, July 11, 1890.

$16,000 from the Lottery Company—$1,000 on July 18, 1888; $10,000 on June 10, 1890; and $5,000 on January 10, 1890. St. Amant answered the bench warrant and gave bond, and was then released.[72] His counsel, Senator K. A. Cross, Honorable R. N. Sims, and Honorable L. D. Beale, demanded a jury trial.[73] The case was *nol prossed* by Judge Buckner when the District Attorney could not get the Attorney General to act as counsel.[74] The District Attorney could not go on with the case because several of the witnesses subpoenaed by the State had gone to Mississippi—beyond the jurisdiction of the court. He then entered *nolle pros,* to prevent the defendant from having a good plea of former jeopardy.[75] One newspaper recited that "as far as the facts are given out, it seems there was no ground to support the accusation."[76] On the floor of the House, St. Amant arose to a question of personal privilege and defended himself. He denied the allegations, and said, "The charge is double-barreled, to effect public opinion and deter me from the execution of explicit instructions from my people, at the same time that it harasses me with a criminal prosecution, withdrawing my attention from the performance of my political duties."[77]

Before St. Amant's case was *nol prossed,* Bernard C. Shields, a lottery supporter, introduced a resolution that a committee of five from the House be appointed to investigate "the alleged action of Circuit Judge Milton A. Strickland in attempting to influence the action of members of this House in certain legislation, and in threatening the arrest of Representatives, and his alleged complicity with the arrest of Hon. Jos. A. St. Amant, a member of the House from Ascension parish." Mr. Pipes of the opposition offered an amendment that the said committee "shall investigate whether or not any person or persons have used or attempted to use any undue or improper means to influence the vote or votes of any member." The amendment was voted down, and the resolution indefinitely postponed.[78]

That both sides used money is often alleged. A member of the Legislature of 1890 who voted for the amendment wrote the following to the writer, in answer to the question whether bribery

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[72] *Daily Picayune,* June 21, 1890.
[73] *Ibid.,* June 24, 1890.
[74] *Ibid.,* June 28, 1890.
[75] Wickliffe, *loc. cit.,* XII, 569.
[76] *Daily Picayune,* June 28, 1890.
[77] *Louisiana House Journal,* 1890, p. 384.
[78] *Ibid.,* pp. 470, 472-473.

actually obtained, "It [the Lottery Company] bought up any one who was for sale. The other side bought up politicians with offices."

Tradition tells of several instances of bribery. One story is that a member of the Senate who had to borrow the money to get to Baton Rouge to attend the session of 1890, died during that year and willed his widow $50,000 in cash. Another report is to the effect that the Lottery Company offered a check, with amount left blank, to a certain member of the House in 1890, if he would vote for the amendment. A third account is that a member who voted for the amendment died shortly thereafter "of remorse," and that twenty crisp $1,000 United States notes were found under his pillow.

Another interesting anecdote follows:

> The anti-lottery members in caucus pledged their honor not to be bought or wheedled into support of the bill. A senator who had given that pledge, who had been impoverished, who was in poor health and harassed as to the support of his family, was the last man needed for a lottery victory. He voted to submit the question to the people, sank into his chair, and in shame buried his face in his hands. Nearly a year afterwards this pitiable man was carried ill to the Hotel Dieu in New Orleans. After his death a belt containing $18,000 was found on his person, and was considered to be the remaining part of a large sum.
>
> A relative published a defense to the effect that he voted according to his conviction, but did not deny that the money was found upon him.[79]

While the bill was being discussed in the legislative halls, of course there were expressions in the state at large. The press of the state favored the offer of Morris instead of that of Newgass on the grounds that Morris had already been a benefactor of the state and was willing to give $1,000,000 for immediate relief in 1890 and a similar sum in 1891,[80] whereas Newgass and Beer were both "notoriously interested in the alien Mexican Lottery Company."[81]

After the legislative session the press pleaded for unity and harmony.[82] It favored the idea of submission of the amendment to the people and maintained that Governor Nicholls had no veto

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[79] Buel, *loc. cit.*, XLIII, 629.
[80] *Daily Picayune*, June 23, 1890.
[81] *Weekly Louisiana Review*, July 16, 1890.
[82] *Times-Democrat*, July 25, 1890.

power in the matter.[83] The press demanded that the people be heard.[84] Colonel A. W. Crandell, chairman of the State Democratic Executive Committee, requested Murphy J. Foster, as leader of the anti-lottery faction, to submit the bill to a white primary.[85] These expressions found results in Senator Montgomery offering a compromise at a caucus held by each faction. It was to submit Morris' proposition of $1,250,000 to the white voters of the state at an election to be held not later than November 1, 1890, said election to be called by the State Central Committee and to be held under its rules; that each member of the Legislature would pledge himself to abide by the decision of the primary election; if election results showed that the people favored the amendment, then each legislator would attend an extra session of the Legislature and vote for passage of the amendment to be submitted at a general election in April 1892; that if the primary were favorable, the Governor and Lieutenant-Governor should call an extra session of the Legislature to legislate on the amendment; that J. S. Lanier[86] would call a session of the committee to meet in New Orleans not later than September 1, 1890; and that Morris would agree not to thrust his proposition again before the people if the primary election results were unfavorable to him; that Shattuck's Bill No. 214 would be suspended when both factions should accept Montgomery's proposal.[87] The proposition was rejected by the antis on the grounds that the plan was not restricted to white Democrats.[88]

The Lottery Bill was thrown into the courts when the Secretary of State, L. F. Mason, refused to promulgate House Bill No. 214 because of alleged irregularities in its passage; so, on December 15, 1890, John A. Morris instituted proceedings to compel Secretary of State Mason to submit the Lottery amendment to the people.[89] The suit was entered in the Seventeenth District Court, Parish of East Baton Rouge. Judge Buckner decided in Mason's favor, but "did not reduce to writing and file in the record the reasons he entertained for the judgment pronounced."[90] Following Buckner's decision, Lottery stock was alleged to have been the lowest in fifteen years—$700.[91]

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[83] *Ibid.*, July 17, 18, 1890; *Weekly Louisiana Review*, July 16, 1890.
[84] *Daily States*, May 16, 1890.
[85] *Daily Picayune*, June 11, 1890.
[86] Lanier was chairman of the Louisiana State Central Committee.
[87] *Daily States*, July 1, 1890.
[88] *Daily Picayune*, July 2, 1890.
[89] *Daily States*, December 16, 1890.
[90] "State ex rel. Morris *v.* Mason, Secretary of State," in 43 *Louisiana Annual*, 610.
[91] *New Delta*, January 20, 1891.

Morris promptly appealed to the Louisiana Supreme Court, and had Thomas J. Semmes and F. P. Poche for counsel. The defendant was represented by Attorney-General Walter H. Rogers, District Attorney H. N. Sherburne, White & Saunders, Don Caffery, and J. N. Luce. Mason, through his attorneys, defended his action in refusing to promulgate House Bill No. 214, because: (1) it was not read on three separate days in full; (2) was not entered on both journals in compliance with the Constitution; (3) alterations and changes were made without authority, both before and after the adjournment of the General Assembly in July, 1890; (4) the bill was a measure of pure and simple ordinary legislation and a proper subject of executive veto; (5) "even if the introduction of said House Bill No. 214, as a House Bill, its passage as a bill, its sending by the House to the executive as a bill for approval and the attempt to pass it over his veto as a bill, did not make it the subject of a veto, that said bill as passed was the proper subject matter of a veto, even if the power existed in the executive to veto a constitutional amendment, which is denied, because said bill contained provisions, confessedly matters of legislation, subject to veto, and which legislative provisions being incorporated in and interwoven with the bill as a whole, made the bill, as a whole, the subject matter of executive veto, and the failure to pass the same over the veto has rendered the whole inoperative and without effect;"[92] and (6) the bill embraced the subject matter of many amendments grouped into one in violation of the Constitution.

Judge Watkins, in delivering the opinion of the court, in May 1891, considered the case in minute detail.[93] He declared that from the records of relator and respondent the readings tallied in every respect save about the readings on one date. The Printer was questioned, and he admitted that the changes in printing were not made until after the adjournment, but that they had been ordered made before the adjournment. The corrections

[92] "State ex rel. Morris *v.* Mason, Secretary of State," in 43 *Louisiana Annual*, 609.

[93] A rather unusual line of argument, that of the majority of the Court denying and of the minority affirming that the death of Senator J. Fisher Smith caused the lottery supporters to change tactics, is quoted verbatim below. This only serves to illustrate how personal were the legislative and judicial battles in the lottery fight.

The majority said, on this point: "There is a further suggestion made, as one which exercises some influence over the question of the Governor's approval of the proposed amendment, and that is that it appears to have been originally the intention of the General Assembly to have passed it over the executive veto in case of his disapproval, and that the sudden death of one Senator, just prior to the submission in the Senate of the veto message, who had theretofore favored the submission of the amendment, caused a change of programme.

"To this suggestion, it is sufficient to say that an attentive examination of the transcript discloses no evidence on that subject, and no mention is made of it in answer or argument, and it is entitled to no consideration." (43 *Louisiana Annual*, 609.)

The minority report on this point is given in Footnote 97, below.

having been ordered by the Secretary of the Senate, the Justice ruled that this was regular. Justice Watkins ruled that the Governor's signature was not necessary to a bill proposing a constitutional amendment. He also declared that the bill pertained to one matter, and was therefore not unconstitutional—that the bill simply provided for "the extension of the relator's lottery contract for a term of 25 years."[94]

Justice Samuel D. McEnery concurred, arguing that the Secretary of State had no executive and judicial functions and that the Governor's signature was not needed. He claimed that "the various pretexts set up by the defendant are the merest technicalities."[95]

Justice Bermudez also concurred, remarking that the bill was only a proposal to the people, and that "the importance of the subject has been somewhat unnecessarily magnified."[96]

Justice Fenner[97] dissented, as did Justice Breaux. They agreed that "An amendment presented in compliance with Article 256 can be submitted to a vote without the signature of the Executive, provided it is not objectional in point of substance and does not contain legislative enactments."[98] They maintained that the proposed amendment did contain legislative provisions, however, so that, the final vote not being two-thirds in the House and there being no final vote in the Senate, the proposition was never finally adopted.[99]

The question of rechartering the Lottery Company was thus left to the decision of the state electorate by the Supreme Court of Louisiana.

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[94] "State ex rel. Morris *v.* Mason," 43 *Louisiana Annual*, 660.

[95] *Ibid.*, 674.

[96] *Ibid.*, 678.

[97] Justice Fenner remarked: "This proposition of amendment has not been finally adopted in accordance with the requirements of the Constitution. The simple, patent, undisguisable fact is, that the friends of the measure intended and undertook to pass it in a form and in conjunction with legislative provisions which required submission to the Governor, and in case of his veto required passage over his veto before it could be finally adopted. They successfully carried the measure through all the requisite stages, including passage over the veto by the House, until it reached the Senate. There, owing to the illness and death of a member of the majority, they lost the strength to pass the bill over the veto, and the measure failed. It is said that the record furnished no evidence on this point. If that were so, certainly it would be improper for me to refer to it; but the journals of the two houses are in evidence and they show the fact conclusively. Senator J. Fisher Smith is recorded as one of the two-thirds who voted originally on the bill. He was absent at all votes taken after the Governor's veto. [Senator Posey's resolution is then quoted.] This shows his illness on the day when the veto was under consideration; and on the following day his death was announced to the Senate, and appropriate resolutions were passed in his memory.

"The recorded votes show that at no stage of the proceedings did the measure receive the two-thirds vote required without counting the vote of Senator Smith. Therefore, the record justifies me in saying that, owing to his illness and death, its supporters lost the power to pass the bill over the Governor's veto, and the bill failed to pass." (*Ibid.*, 691-692.)

Justice Fenner then went on to deride the attempt of the majority of both houses to "change its foot" and to give *ex post facto* finality to the original vote upon the bill.

[98] *Ibid.*, 695.

[99] *Ibid.*, 693.

CHAPTER VII

THE ORGANIZATION AND OPERATION OF THE WARRING CAMPS IN 1890 AND 1891

Introduction—ANTI-LOTTERY LEAGUE: Organization of the Anti-Lottery League—First public meeting of the League—State Convention of the League in Baton Rouge simultaneously with the State Farmers' Union—Organization of the Democratic Anti-Lottery State Executive Committee—Important meeting of the League—Rev. Palmer's address—Organization of the Women's Anti-Lottery League.

PROGRESSIVE LEAGUE: Organization of the Progressive League—Types of meetings—Meetings in the State.

CAMPAIGN HIGHLIGHTS: Political aspects—Fears of Republican successes—Charges against U. S. Senator Gibson—Charges against U. S. Senator-elect White—Donations by the Lottery Company in 1888 brought to light.

ARGUMENTS: State finances—Supported by early Fathers—Foreign Lotteries—Bogus lottery schemes—Levee needs—Schools—Confederate veterans—Moral evils—Opposition by churchmen—Unfair share of profits.

The successes of the Lottery Company in the Legislature of 1890 (when a constitutional amendment was provided), and in the courts (where the decision upheld the constitutionality of the General Assembly's proceedings), were of course but preliminaries to the real struggle for the continuation of the Company beyond January 1, 1895 (as provided by the Constitution of 1879). The matter was to be settled in the last analysis by the people of the state. Both sides laid plans for a two-year campaign.

Proponents of the Company included men and women of the highest ideals who believed that for the financial good of Louisiana the Company should be allowed to continue, and others who were doubtless influenced through selfish personal or political motives. These proponents were strengthened in their cause by an almost unanimous press throughout the state.

The opponents were composed of innumerable men and women who were honest in regarding that the Company was too gigantic a political and moral evil to be allowed to continue, regardless of the financial assistance that it might render to the state; however, included in their number were many individuals who looked to the issue as a means to political pre-

ferment. Aiding the opponents in their cause was a solid outspoken clergy of many denominations. A minority press also championed the opponents' cause.

At the outset it should be realized that both sides had eminent advocates—persons of sterling integrity. "Take all men in Louisiana who are opposed to Lotteries, whether rated by character, ability, acquirements, property, family or social position, and they can be matched, man for man, in every characteristic of excellence, from the friends of the lottery amendment."[1]

This chapter will treat of the organization and operation of the League that opposed the Company, of the organization and operation of the League that favored the Company, will narrate a few of the important incidents that arose during the progress of the Leagues' activities, and will then discuss the arguments used by both factions during the momentous struggle in 1890 and 1891.

ANTI-LOTTERY LEAGUE

Following the announcement that John A. Morris would apply to the Legislature for a continuation of the Louisiana Lottery Company, the Anti-Lottery League of Louisiana was formed. The minutes of its first meeting show that the meeting was held in New Orleans on February 28, 1890, in the office of Charles Parlange. Twelve persons were present at this meeting.[2] After the objects of the meeting were stated as being "to combat the renewal of the charter of the Louisiana Lottery Company and to oppose the granting of charters to any other lottery companies," and a committee was appointed to plan an organization, adjournment until March 6 at 7:30 P. M. followed.

The meeting on March 6 was attended by thirty persons.[3] At that meeting the constitution of the League was adopted,[4] and the following unanimous elections were made: Colonel Vincent, president; Judge F. A. Monroe, first vice-president; I. H. Stauffer, Jr., treasurer; George W. Young, secretary; and D. L.

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[1] New Orleans *Item*, April 29, 1891.

[2] These were Messrs. Frank McGloin, C. Harrison Parker, W. G. Vincent, David Zable, Charles Carroll, Rev. B. Carradine, H. W. Spear, Rev. T. W. Sawyer, James David Coleman, Charles Parlange, E. H. Belknap, and George W. Young.

[3] W. G. Vincent, L. T. Belt, Frank McGloin, Rev. B. Carradine, R. W. Wilmot, L. J. Doize, Rev. T. W. Sawyer, D. L. Mitchell, F. A. Monroe, E. P. Mackie, N. H. Rightor, Fred D. King, J. Y. Gilmore, George W. Blackman, Herman Meader, David Zable, N. W. Watson, James D. Coleman, John C. Wickliffe, Hugh McManus, C. Harrison Parker, J. D. Hill, Frank A. Daniels, Charles Parlange, E. H. Belknap, I. H. Stauffer, Jr., Breedlove Smith, H. W. Spear, John A. Heyland, and George W. Young.

[4] See Appendix A.

Mitchell, assistant-secretary. It was ordered that the proceedings of the League for the time being be considered confidential. Four names were added to the membership roll.[5]

At the next meeting, four days later, a resolution was passed permitting the fact to be made generally known that such an organization had been formed, and to divulge its purposes and the names of its officers, but neither its membership nor its proceedings.

The first public meeting of the League was held on April 28, 1890, at the Grunewald Opera House, with Judge Frank McGloin presiding. One thousand persons were reported present. C. Harrison Parker tore into the Lottery Company for offering levee aid at that time as a ruse for obtaining a recharter, asking what the Company had done in times past for floods and disasters. Henry C. Miller stressed that lotteries were prohibited in all other states. James McConnell attacked the monopoly feature of the Louisiana Lottery Company, while Dr. H. D. Bruns arraigned the Company as being a moral evil.[6]

Determined to give a public demonstration in order that the representatives of the people might see the strength of the opposition to the Lottery and who composed it, the League selected the opening day of the Legislature, May 12, for its meeting at the Grunewald Opera House. Colonel Vincent called the meeting to order. Judge McGloin of the Court of Appeals, Representative H. F. Wells of Richland Parish, and United States Senator Edward Douglas White were the principal speakers. Judge White stressed eight points: (1) He paid his respects to the Legislature of 1868, "when crime was rampant and when bribery was the order of the day;" (2) He asked why Morris or anyone else should have to give $1,000,000 if the lottery was like any other business; (3) He admitted that lottery tickets would still be sold without the Louisiana Lottery Company, but said that the evil would be reduced with the reduction in ticket sales; (4) He maintained that savings bank deposits were increasing in other states, while decreasing in Louisiana; (5) He cited the following on the levee situation: (a) Of 1020 miles in the system, the breaks amounted to but six miles; (b) In 1882 there were 284 breaks, aggregating fifty-eight miles; in 1883 the break aggregated thirty-four miles; in 1890 there were 23 breaks, aggregating only six miles; (6)

[5] J. G. Grant, Fergus Kernan, A. A. Batchelor of Pointe Coupée, and S. P. Henry of Cameron.

[6] *Daily States*, April 29, 1890.

He predicted that the United States Government would refuse to touch the levees of the Mississippi River if Louisiana accepted aid from the Louisiana Lottery Company; (7) He praised the financial standing of the State Insane Asylum and showed that that institution had a cash surplus on hand; (8) He concluded that as to schools, "with a little sacrifice, a little self-restraint, and a little self-abnegation," the schools would soon be in a high state of prosperity.[7]

White's statement about savings banks was answered. It was explained that the reason for the decline was that in 1879 two banks in New Orleans had failed and the people still distrusted those institutions.[8]

The League gave a "public reception to the members of the legislature in the House and Senate from the city of New Orleans who had voted against the lottery bill, and to such members from the country parishes as could be present," at the Grunewald Opera House, July 16, 1890. The house was packed. "The silk of the society leader rested against the calico of the working woman and the corduroy of the mechanic brushed the broadcloth of the banker." Colonel Louis Bush, "one of the foremost citizens of Louisiana, whom her citizens have trusted in council and followed in battle, and never repented it," presided. Telegrams of regrets were received from Murphy J. Foster, Edward Booth, Charles Parlange, and Samuel L. Gilmore. Senator-elect Edward D. White and Colonel John C. Wickliffe addressed the meeting; and Governor Nicholls, Senator Duggan, Speaker Henry, and Representatives Marquez, Dreyfous, Borland and Gilmore also spoke. At that meeting Senator-elect White attacked the New Orleans press.[9]

The principal work of organizing the League in New Orleans was done by Judge Monroe and Honorable George W. Young. Its executive committee was composed of C. Harrison Parker, Frank McGloin, Charles Parlange, James Davidson Hill, T. C. W. Ellis, James David Coleman and Rev. B. Carradine. Press of church duties forced the last-named to resign from the committee, and Fred King succeeded him. Messrs. Herman Meader, J. G. Grant and Hugh McManus constituted the finance committee. After the first few meetings, the League increased its list of vice-presidents to fifty.

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[7] *Ibid.*, May 18, 1890.
[8] *Ibid.*, May 20, 1890.
[9] *Ibid.*, July 17, 1890.

The League hoped that the courts would decree that Shattuck's bill had not properly passed the Legislature, but did not stop "the work of proselyting until it had extended itself to every quarter of the State with branches in every parish and ward." It perfected an organization to accomplish this end when a convention of antis met in Baton Rouge on August 7, 1890, in pursuance of a call that the League had issued on July 19. Colonel Vincent called the meeting to order, and then summoned T. S. Fontenot of St. Landry to act as temporary chairman. The committee on credentials reported that fifty-three parishes were represented by 956 delegates, 197 of which were from Orleans.

The committee on permanent organization made five recommendations that were unanimously adopted: (1) That T. F. Bell of Caddo be president of the Convention; (2) that there be thirteen vice-presidents from the state-at-large and "one vice-president from each parish and representative district of Orleans represented in this convention;" (3) that there be a committee of fifteen on resolutions, to be appointed by the president of the convention; (4) that a committee of eighteen be formed to memorialize Congress "to enact such legislation as will forever rid our State of this monster of all iniquity;" and (5) that an executive committee of nineteen conduct the campaign against lotteries in Louisiana.

Captain T. S. Adams of the State Farmers' Union was invited by unanimous vote to sit on the platform. He accepted. "The State Farmers' Union, which was then in session at Baton Rouge, and which had adjourned to allow use of the hall of the House of Representatives to the anti-lottery convention, had formally declared against the lottery and sent greetings to the convention." E. H. Farrar offered resolutions which were adopted by unanimous and rising vote. They provided for (1) recognizing with gratitude that the Farmers' Union had made the initial step in the war against the Lottery Company, and was the first organized body of Louisiana's brave sons to denounce the scheme of recharter; and (2) requesting the Farmers' Union to cooperate in the campaign against lotteries.

At the afternoon session Edward D. White, Murphy J. Foster, and Felix J. Dreyfous addressed the convention; at the night session E. H. Farrar, T. J. Guice, and John C. Wickliffe spoke.

It was at the night session of the first day's proceedings that Wickliffe submitted the following, which was unanimously adopted:

> Whereas, the lottery company has, through the columns of its subsidized organs, attacked the integrity and reputation of Francis T. Nicholls, Governor of Louisiana, and of Edward D. White, United States Senator-elect; which attacks were inspired by malice, hate and impotent anger;
>
> Therefore, Be it resolved, That this convention expresses its unshaken confidence in the stainless honor and unblemished integrity of these two noble sons of a grateful State.

On the second and final day of the convention the establishment of the *New Delta* occurred.[10] E. N. Pugh of Ascension stated that on behalf of his parish he desired to head the list with a subscription of $5,000. Reports of $39,000 pledged for the newspaper were made before the end of the day. The *Times-Democrat*, the *Item*, and the *States* were boycotted.[11]

President Bell being called home, Vice-President Murphy J. Foster went to the chair. Resolutions by G. W. Bolton of Rapides were adopted that invited lottery proponents to public discussion of this matter, but warned them "that we shall not permit this to be a boodle campaign." Senator Lott presented and moved concurrence of the convention in resolutions adopted by the Farmers' Union. This was done. The executive committee was directed to have 20,000 pamphlets of the proceedings of the convention printed, "half in French and the rest in English and scattered throughout the States."

The opposition claimed that the convention was negative in its results, in that it had not suggested a remedy for state financial needs. "We have had a great deal of sentiment and rhetoric; let us now have a little common sense."[12]

That the League advocates deliberately chose the place and date of their convention to coincide with that of the State Farmers' Alliance was charged, and this charge was borne out when the Alliance merged with the League.[13]

With the close of the convention, the control of the fight went to the Democratic Anti-Lottery State Executive Committee, which organized before the convention had adjourned. Its

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[10] The editorial staff of the *New Delta* were: Editor-in-Chief, C. Harrison Parker; Associate Editor, John C. Wickliffe; City Editor, Mark J. Lehman; Business Manager, John Dymond; Foreman, John C. Murray.

[11] *Daily Picayune*, September 8, 1890.

[12] *Times-Democrat*, September 11, 1890.

[13] *Daily States*, September 8, 1890.

officers were: Charles Parlange, chairman; Murphy J. Foster, vice-chairman; John C. Wickliffe, secretary; E. B. Kruttschnitt, treasurer. Many sub-committees were formed. Headquarters were established in New Orleans in the Citizens' Bank Building, 134 Gravier Street. At first the general committee met only on the first Monday in each month, and the sub-committees met once a week, the various charimen visiting headquartres every day. As the campaign progressed, the general committee met every week and the sub-committees met daily. In September 1891, headquarters were moved from 134 Gravier Street to 119 Common Street, where the second and third floors of the building were rented.

The committee was greatly hampered by lack of money, especially at the outset. On one occasion a lot of circular letters laid over a week because of lack of money to buy postage. In appealing for financial aid from other states, General George Johnston went North during September 1890 and stayed there until the winter of 1891-92. He received no compensation, not even traveling expenses. He did enormous good in getting people interested in fighting the lottery.

The work of the sub-committees was directed along the following lines:

> *State Campaign:* Had charge of the compaign in the state, and issued addresses to the people.
>
> *Federal Relations:* Aroused public sentiment outside Louisiana, enlisted aid from abroad, and endeavored to get Federal legislation enacted against the lottery.
>
> *Committee on Speakers:* Arranged for the meetings and provided for the speakers.
>
> *Finance Committee:* Raised money to carry on the campaign and to support the *New Delta.* Had a difficult time. When the people of Louisiana had exhausted their resources, the committee made appeals for help in other states. "From all over the country, North, East, and West, individuals sent their contributions. . . . To those who made these contributions we can truthfully say that not one dollar of all this amount was spent save in a perfectly lawful and proper way."

The committee on Federal relations is credited with having procured the passage of the anti-lottery postal law by Congress.[14]

[14] On this point, see Chapter VIII, below.

The committee as a whole systematized its work by preparing a book covering the entire state. It was indexed by parishes, alphabetically, and under the head of each parish was entered all the facts concerning that parish pertinent to the campaign. This book was kept up-to-date. Every parish in the state had one or more Leagues at work. Speakers all over the state usually paid their own expenses in the cause.

One of the largest meetings held during the campaign was at the Grand Opera House, June 25, 1891. It was presided over by Colonel William Preston Johnston, then Chancellor of Tulane University. Right Reverend Davis Sessums, Protestant Episcopal Bishop of Louisiana, and James David Coleman, Supreme President of the Catholic Knights of America, were the vice-presidents. Reverend B. M. Palmer of the First Presbyterian Church in New Orleans was the principal speaker.

Reverend Palmer's address was a Philippic. He spoke with notes and delivered an oration so telling in effect that it has been asserted "that without that speech the fight would have been won by the lottery people."[15] He indicted the Lottery Company on the ground that its continued existence was incompatible with the safety and being of the state. He maintained that the Company was a huge gambling syndicate, and claimed that a syndicate to propagate leprosy, one to encourage murder or one to operate all saloons, could be as well inducted into existence by a Legislature. He referred to the Biblical injunction, "In the sweat of thy brow thou shalt earn thy bread," and asked, "What value does the gambler ever create?" He predicted, "if this lottery cannot be destroyed by forms of law, it must unquestionably be destroyed by actual revolution." Finally, he prophesied that capital and population would leave the state and that the Lottery Company would in less than ten years control the state officials, executive and judicial.

Palmer's address was attacked by the opposition with force and from many angles. The address was called "sophistical and incendiary."[16] His "law or labor" argument and the threats of revolution were denounced.[17] One comment was that Palmer had addressed the audience "with his usual eloquence, his customary want of logic, and in a spirit of virulence which ill becomes his sacred calling."[18] His prophecy that if the lottery charter were

[15] T. C. Johnson, *Life and Letters of Benjamin Morgan Palmer*, 561-563.
[16] *Times-Democrat*, June 27, 1891.
[17] *Ibid.*, June 29, 1891.
[18] *Item*, June 27, 1891.

renewed the people would leave the state was countered by the statement that with a better system of schools, street paving, and levees people would be attracted to Louisiana;[19] while his prophecy that in ten years the Company would control the judges and governor of Louisiana was answered by reciting that for the past twenty-two years Nicholls, now such an avowed opponent of the Lottery, was the only governor who had received aid from the Lottery Company.[20] Another paper reported that "men stood up in their places and shouted themselves hoarse, while delicate women waved their handkerchiefs and responded to the storm of passion," when Dr. Palmer classed the Lottery with the Mafia and by suggestion rather than direction invoked for the Lottery a fate like that visited upon the Mafia. That paper urged, "Let the settlement be peaceful then, for threats of violence can be nothing but evil."[21]

Another telling speech against the Lottery was delivered by Rabbi Max Heller at Shreveport on August 13, 1891.

The membership of the League was probably in the thousands, since the names of about 800 leaders are listed in the membership roll in the *New Delta,* May 12, 1892.[22]

During the summer of 1891 the Women's Anti-Lottery League was formed. At the first meeting, the following officers were elected:

Mrs. William Preston Johnston, President;
Miss Dickson, Vice-President;
Mrs. E. John Ellis, Vice-President;
Mrs. H. Dickson Bruns, Vice-President;
Mrs. T. L. Richardson, Vice-President;
Mrs. Henry J. Leovy, Vice-President;
Miss Bell Dickson, Recording Secretary;
Miss Kate McCall, Corresponding Secretary;
Mrs. J. W. Caldwell, Treasurer.

Towards the end of October, the League held a public meeting in Tulane University Hall. Addresses were delivered by Reverend B. M. Palmer and Honorable Henry C. Miller in English, and by Professor Alcée Fortier in French. At this meeting

[19] *Ibid.*, June 29, 1891.
[20] *Ibid.*, June 30, 1891.
[21] *Daily Picayune*, June 26, 1891.
[22] See Appendix B.

Palmer charged that the Lottery Company made $25,000,000 a year; but this was promptly denounced as a misstatement by the Lottery supporters.[23]

The Women's League functioned throughout the gubernatorial campaign. Their work consisted in lending moral support in the struggle, in sending funds to the men's League, and its members helped personally at the two primaries and at the final election in April 1892, by furnishing meals to their commissioners at the polls.

At the Democratic Convention in Baton Rouge, resolutions complimentary to the Women's Anti-Lottery League of Louisiana were adopted. They were presented to the League by Theodore S. Wilkinson, and were placed in the Tulane University Museum.

"How much is due them . . . can never be known. . . . Whenever and wherever they could be of assistance . . . they were ready. Nor did they lose aught of their womanliness in the struggle."

PROGRESSIVE LEAGUE

The Progressive League came into being on July 29, 1890, when a constitution was adopted giving the League's purpose as being "to urge before the people and to endeavor to foster all measures calculated to promote the public welfare, particularly in the matter of the improvement of the school and levee systems of the State, to provide for the payment of the public debt, and to promote immigration; and with these ends in view, to use all honorable means to secure the adoption by the people of the proposed lottery amendment." The committee on permanent organization was composed of Irwin Jamison, Lewis E. Graham, W. S. Dudley, Lucien E. Lyons, and James C. Campbell. The officers elected on the date aforementioned were: Robert S. Day, president; James S. Richardson, vice-president; Theodore H. Lyons, treasurer; and Thomas A. Marshall, Jr., secretary.[24]

The first regular meeting of the Progressive League was held at Grunewald Hall on September 1, 1890, with Robert S. Day presiding. A League membership of 2,600 was announced.[25] After drafting resolutions and attending to routine business, the meeting adjourned to meet again on the first Monday in October.[26] Ten days later the executive committee adopted

[23] *Item*, November 3, 1891.
[24] *Times-Democrat*, August 3, 1890.
[25] *Ibid.*, September 2, 1890.
[26] *Daily States*, September 2, 1890.

resolutions calling for a meeting to effect an organization for a League in each parish.[27]

The October regular meeting was large and enthusiastic. State Senator Goldthwaite was the principal speaker. He contended that the passage of the anti-lottery bill in Congress by the Republicans was done by them to ward off Lottery Company influence in preventing Louisiana from becoming a Republican state.[28] At that meeting endorsement was given to the circulars sent out by the League, styled "The Question of the Hour." These circulars were sent out each month. Usually the circular treated one phase of the lottery matter at length; e.g., the circular endorsed at the October meeting was a pamphlet showing what the early Fathers of the Republic, particularly Thomas Jefferson, thought of lotteries.[29]

By October 1890 the Progressive League had organized in seventeen city wards, and had organized or was ready to organize in fifty-seven parishes in the state.[30]

Monthly meetings were held regularly in New Orleans, usually at the Grunewald Opera House. At the January 1891 meeting, Captain E. E. Kidd of Jackson Parish delivered the principal address. At the next meeting Percy S. Roberts reviewed the history of the mandamus case. In April 1891, the regular meeting was addressed by E. C. Fenner, O. B. Sansum, James Legendre, and Bernard Shields. Congress was attacked for passing the anti-lottery legislation. A note of interest is that the roll call was not made at the April meeting because the League's membership in New Orleans was more than six thousand.[31]

CAMPAIGN HIGHLIGHTS

Both sides resorted to political meetings throughout the state. The meeting was usually presided over by a local leader. Usually four or five speakers[32] addressed the audiences, one or

[27] *Ibid.*, September 11, 1890.
[28] *Item*, October 7, 1890.
[29] *Times-Democrat*, October 15, 1890.
[30] *Daily States*, October 7, 1890.
[31] *Ibid.*, April 12, 1891.
[32] Reports of a pro meeting at Lafayette told that the following speakers addressed the meeting: Claude Latiolais (in French); Judge Felix Voorhies (in French); Hon. William Campbell (in French); Gilbert Dupre; L. O. Hacker; and Andre Martin.—(*Daily Picayune*, September 27, 1891.)
At an anti meeting at Thibodaux the following were the speakers: John Wickliffe, Judge McGloin, Col. Louis Bush (in French), R. T. Broussard, and J. T. Merrick.—(*Ibid.*, September 21, 1891)
The names of some of the leading speakers on each side follow:
Pros: R. H. Snyder, Jr., H. W. Ogden, Gabriel Montegut, B. C. Shields, George W. Dupre, H. C. Castellanos, Gilbert Dupre, and William Campbell.
Antis: John C. Wickliffe, Judge Frank McGloin, Louis Bush, T. S. Adams, E. H. Farrar, Newton C. Blanchard, Col. W. H. Jack.

more speaking in French. A barbecue featured almost every meeting. Reports of the meetings told the number of persons present,[33] and stressed the fact that the audiences included many of the gentler sex. Resolutions were adopted invariably.

Excitement throughout the state increased to fever heat. Few episodes of open violence are recorded, however. One of these was when the antis prevented the pros from holding a meeting at Many on September 26, 1891. "It appears that after all the preparations had been made, and the provisions were on the grounds, ready for the barbecue, a crowd of armed men took possession of the mass meeting, threw away or destroyed the bread and meat provided for the barbecue, ordered out of the parish the persons engaged in making the arrangements and at the same time warning the people not to assemble there on pain of violence."[34]

The politicians made capital out of the Lottery issue. The supporters of Governor Nicholls claimed that they were attacking an agency "which like a great octopus had obtained a strangle hold on our fair State to such an extent that even the strong arm of the government was impeded by its powerful influence."[35] They claimed that the Lotteryites were ready to go to the polls on the issue because bribery could decide the results.[36] Lottery managers had boasted of having $6,000,000 to spend to carry the elections of April 1892.[37]

It was charged that "the lottery proposed to go into every parish in the State and attempt to dominate even parish politics, to control the elections for even constable in return for support from its friends."[38] Lottery supporters maintained that the Lottery was in politics for defensive purposes only,[39] and that the opponents were making that the issue as "a gas bag to float its political organization."[40]

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[33] Number of persons present:

Pros:	Natchitoches	2500, of whom 400 were women.
	Napoleonville	2000, of whom 300 were women.
	Opelousas	2500.
	Abbeville	4000.
Antis:	Alexandria	2000.

—(*Times Democrat*, August 21, 31, 1891; *Daily Picayune*, August 28, September 13, 14, 1891.)

[34] *Daily Picayune*, August 26, 1891.

[35] Joseph A. Breaux, *An Address on Francis T. Nicholls.* (Read by E. A. Parsons at a meeting of the Louisiana Historical Society, November 22, 1926.)

[36] *New Delta*, June 17, 1891.

[37] *Ibid.*, May 27, 1891, quoting letter purported to have been written by T. A. Marshall to J. S. Kelly of Winnfield.

[38] Anthony Comstock, "Lotteries and Gambling," in *North American Review*, CLIV (1892), 222.

[39] *Item*, May 25, 1891.

[40] *Daily States*, December 25, 1890.

Each side pretended to fear Republican successes if the other should win. An anti leader in New Orleans was reported to have expressed his certainty that success of the pros in the First and Second Congressional Districts (city of New Orleans) would result in Republicans being sent to Congress from those districts.[41] A pro oracle predicted that the antis might unite with the Republicans, so deep-seated was the former's antipathy to the Lottery.[42] Between these two variant expressions was the statement that the factional differences, while to be regretted, would not rend the party sufficiently to insure Republican successes.[43]

Aside from these general statements, personal charges of a serious nature were made. One was an attack on United States Senator Randall Lee Gibson. He was attacked by the antis as having been the agent through whom the Lottery Company had tendered State Senator Avery $1,100. Avery admitted that he had received the money, but stated that he had returned it when he ascertained the source whence it came; and he cleared Gibson of having been implicated in the matter.[44]

It was but natural that his opponents should charge Governor Nicholls with favoring his friends in making appointments. This was the case when removal of certain levee board commissioners by Nicholls was called an unwise exercise of authority, done solely to reward his political friends.[45]

The *Times-Democrat* in its issue of July 22, 1890, charged United States Senator-elect Edward D. White with having received $10,000 from the Lottery Company, and defied him to deny the charge. The paper invited White to enter a libel suit. White explained that the money was donated by the Company to the general campaign committee of which he was a member,[46] and denied, in a statement that quelled further comment on the matter, that he had used a penny of it to influence the Democratic caucus or any member thereof to have himself elected to the United States Senate.[47]

It was then made public that the Nicholls campaign committee had received two $5,000 donations in early 1888. This was a serious statement, and until an explanation was given it

[41] *Ibid.*, August 12, 1890.
[42] *Ibid.*, September 26, 1890.
[43] *Item*, May 3, 1891.
[44] *Daily States*, July 25, 26, 1890.
[45] *Times-Democrat*, July 13, 1890; *Daily States*, July 23, 1890.
[46] *Times-Democrat*, July 22, 27, 31, 1890.
[47] *Daily States*, July 27, 1890.

seemed to justify the pros in accusing the Nicholls politicians of insincerity in attacking the Lottery, since they had received donations from the Company in two different campaigns.[48] The explanation was that, "At the time of making these contributions Mr. Morris had expressed explicitly his desire to aid the Nicholls movement, and his purpose, on the expiration of the existing rights of the Louisiana Lottery Company to retire from the lottery business and to ask no renewal or extension thereof."[49] The money was not given until after Nicholls had sent a written statement to Morris,[50] making it clear that no bargain could be made.[51] This published statement, together with the statements to the press by the several members involved, vindicated Nicholls and the members of his campaign committee.

ARGUMENTS

Probably the strongest argument in the Lottery Company's favor was that of state finances. It was brought out that the state debt in 1890 was about $14,500,000,[52] of which $11,750,000 was in bonds, without a means of retiring them. The adoption

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[48] See Chapter III, above.

[49] *Daily States*, July 27, 1890. The full statement was signed by E. H. McCaleb, C. Harrison Parker, E. D. White and, with one exception, by F. S. Shields and W. H. Rogers.

[50] Statement written by Mr. McCaleb for Forman to submit to Morris:

"Governor Nicholls is unalterably opposed to granting any more lottery charters to any individual or corporation, and will do all in his power to frown down and discourage any attempt in this direction, for these reasons:

"(1) It would be increasing rather than diminishing any evils supposed to be attached to lotteries:

"(2) It would be the source of corrupting legislators and blackmailing the existing company;

"(3) Any new charter or right would eventually be sold out and absorbed by the existing company;

"(4) My sole desire and object has been and is to eliminate the lottery company as a factor in our politics.

"Recognising their chartered and constitutional rights I shall not in any way attempt to interfere with them, and will discourage in the future, as I have in the past, since the adoption of the new constitution, any interference by others.

"This statement was made by me this morning.

"E. H. McCaleb, New Orleans, La.
December 31, 1887."
—(*Daily States*, July 27, 1890.)

Mr. V. R. Forman's statement was substantially as follows:

He was testamentary executor of Mrs. Albert Hennen. Being in Tangipahoa to make inventory, Forman met John A. Morris. The latter said, "I do not want a new charter or an extension of the lottery franchise. I only want to be let alone until the end of my charter contract. By that time I will have as much money as I care to have, or to be bothered with taking care of. If it will be the policy of Governor Nicholls to grant no more lottery franchises, I will make a contribution to the campaign committee."

Forman then went to see McCaleb. The next day McCaleb gave Forman a written statement of Governor Nicholls as to the lottery. (See above.) Forman took the statement to Morris. Morris was satisfied, did not keep the statement, but returned it with his check for $5,000.

[51] *Daily States*, July 27, 1890.

[52] One account showed the state debt to be as follows:

Bonded debt of State	$12,000,000.00
Floated indebtedness in baby bonds	1,200,000.00
Unpaid warrants for '84, '85, '86, '88	500,000.00

—(*Weekly Louisiana Review*, May 28, 1890.)

of the Lottery amendment would enable the General Assembly of 1896, it was argued, to start a sinking fund which would in twenty years be sufficient to cancel most of the bonds.[53] It was admitted that assessments in Louisiana had increased, but the point was made that the interest on the state debt had likewise increased to offset this advantage.[54] Some advocated that if the state tax limitation of six mills were increased, then the state could dispense with the Company's offer.[55] But the notion of a ten-mill tax was opposed,[56] it being claimed that Louisiana taxes were already the highest in the South.[57] Why increase other taxes, it was asked, when the Lottery tax was easily collectible,[58] was in the nature of a voluntary tax upon a luxury,[59] and as such was "the most perfect tax possible."[60]

A point often reverted to was that Washington and Jefferson supported lotteries—that certainly neither of these of our Fathers was vicious and immoral. Jefferson's *Thoughts on Lotteries* was often quoted.[61] William E. Gladstone[62] and the Bishop of London[63] were mentioned as sanctioning lotteries. In answer, lottery opponents maintained that conditions were different from when our early Fathers had made their utterances, and that conditions in Europe at that day differed entirely from those in Louisiana.[64]

The existence and operation of foreign lotteries was a target. Lottery proponents made capital out of the fact that the French government in early 1891 had approved a lottery scheme of annual lotteries of 100,000,000 francs with 20,000,000 francs in prizes, the profits "to be used in defraying the cost of the canal works at the Isthmus of Panama until the canal is completed,"[65] and that Germany was planning a lottery to obtain 800,000 marks to be used in combating slavery in Africa.[66] They argued that if

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[53] *Daily States*, December 19, 1890.

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Increase in assessment since 1880	$49,295,829.00
Yield in .006 tax	236,619.98
Increase of interest from 2% to 4% on bonded debt due of $11,759,500	225,190.00

—(*Times-Democrat*, September 4, 1890.)

[55] *Daily States*, May 13, 1890.
[56] *Times-Democrat*, August 23, 1890.
[57] *Ibid.*, August 27, 1890; *Item*, November 30, 1891.
[58] *Times-Democrat*, September 27, 1891.
[59] *Daily States*, May 27, 1890.
[60] *Times-Democrat*, December 29, 1891.
[61] *Daily States*, August 11, 1890.
[62] *Times-Democrat*, April 1, 1891.
[63] *Ibid.*, March 19, 1891.
[64] *New Delta*, October 6, 1890.
[65] *Daily States*, January 16, 1891.
[66] *Times-Democrat*, June 26, 1891.

these causes justified lotteries, then a lottery to provide funds to educate the children of Louisiana and to build levees was not improper.

The principal foreign lottery that was referred to was the Mexican (Beneficencia), which operated openly in New Orleans, its tickets being sold on the streets and the numbers of winning principal prizes being posted at the New Orleans Stock Exchange.[67] This gave expression to the charge that many antis owned Mexican lottery stock,[68] and was cited to show that "the choice is between the recharter of the Louisiana Lottery Company for and in consideration of the sum of $12,500,000 (this was Morris' original offer before the Legislature opened its session in 1890), for our levees, schools and charities, or the Mexican, Havana, and skin-game lotteries for the exclusive benefit of foreign States, corporations, and domestic sharpers."[69]

Swindling schemes were exposed in St. Louis and in Wheeling, West Virginia,[70] and bogus lottery schemes—purporting to be under the auspices of the Louisiana Lottery Company—were reported from Kansas City, Chicago and New York.[71] It was also averred that the Louisiana State Loan and Trust Company of New Orleans was doing a lottery business.[72] The existence of policy shops in New York, Chicago, Cincinnati and other large cities, operating in secrecy and dishonest yet successful, was brought out.[73] These several schemes, together with the existence of Mexican and other foreign lotteries, were cited as evident proofs that lotteries would continue to exist; so the prophecy was made that "there can be but one ending to this crusade: the efforts of the law will be directed to the suppression of fraudulent schemes, and fair lottery undertakings will be permitted to work out their plans unmolested."[74]

The arguments about the levee-building program without Lottery Company funds have already been referred to.[75] These arguments maintained throughout the campaign, but need not be recited again. One episode that took place during June 1891 should be mentioned, however. At a meeting at Delta, Madison

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[67] *Item*, September 18, 1891.
[68] *Ibid.*, October 31, 1890.
[69] *Daily States*, April 30, 1890.
[70] *Item*, July 5, 1891.
[71] *Ibid.*, August 1, 1891.
[72] *Ibid.*, January 26, 1891.
[73] *Ibid.*
[74] *Ibid.*
[75] See Chapters V and VI, *passim*.

Parish, of the Fifth District Levee Board, resolutions were passed showing the Board's embarrassment and their intention to send a delegation to New York in July to attend a meeting of the Mississippi River Commission, "to lay the condition and needs of the district before it."[76] Thereupon the Lottery supporters cried out that the antis' boast that there were ample funds to care for levee needs were misstatements.[77] The organ of the Lottery opponents claimed that this committee was appointed simply to wait on the Mississippi River Commission to make a case for Federal assistance,—that "the problem which the board has to face is far less difficult than in the past. They are certainly no worse off than any other district, and the other boards are not crying poverty."[78]

Announcement that the money for levees need not be obtained from the Lottery Company, since the Rivers and Harbors Bill just passed by Congress would make Federal aid to levee building an assured fact,[79] brought the usual state rights rejoinder: "Is Reed's Congress our only hope, and are we to bargain with it and give control of our levees, as well as of our mails, our elections and our schools?"[80]

The arguments that prevailed regarding school conditions[81] were that Lottery money was needed to give a longer school term,[82] to pay teachers their salaries on time,[83] to increase enrollment in many parishes,[84] and to improve public school conditions throughout the state.[85] The answer was that Lottery proponents were purposely unfair in stating the school situation—that they chose particular instead of general instances.[86]

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[76] *Daily States*, June 21, 1891.
[77] *Times-Democrat*, June 10, 11, 1891; *Item*, August 2, 1891.
[78] *New Delta*, June 12, 1891.
[79] *Ibid.*, September 22, 1890.
[80] *Times-Democrat*, October 3, 1890.
[81] Statistics covering the school conditions of those years follow:

Year	*Enrollment*	*No. Teachers*	*Session*
1881	White 38,870	787	1-9 months.
	Negro 23,590	247	1-9 months.
1885	White 59,032	1,493	5 months.
	Negro 40,909	627	5 months
1891	White 75,688	2,116	5 1/5 months.
	Negro 55,021	887	4 3/4 months.
1895	White 98,400	2,576	5.67 months.
	Negro 65,917	961	4.52 months.

—(T. H. Harris, *The Story of Public Education in Louisiana*, 81.)

[82] *Times-Democrat*, August 26, 30, September 3, 10, 12, 1890.
[83] *Daily States*, July 18, November 18, 1890.
[84] *Times-Democrat*, September 14, 1890.
[85] *Ibid.*, December 30, 1890, January 7, 1891.
[86] *New Delta*, September 16, 1890.

It was claimed that the adoption of the Lottery amendment was the only sure means of providing for the comfort and support of the Confederate veterans.[87]

Lotteries were condemned as being a deadly moral evil.[88] While some Lottery proponents admitted this,[89] it was argued by others that lotteries were no worse than futures.[90]

> The proposal to license a lottery is not a new thing under the sun! It is as old as man himself, and does not involve moral obliquity in any sense. A lottery, honestly conducted, is as moral a business as a bank, a compress or a manufacturing establishment. There is not a pursuit in which men engage that does not turn for success or failure upon some element of chance. The farmer risks his seasons and the floods; the lawyer trusts to courts and juries the issue of his reputation as an advocate, and consequent advancement in life or retrogression; the physician must look for his income to the varying and variable "ills that flesh is heir to"; and the merchant looks to the ever-shifting phases of demand and supply to determine whether prosperity or adversity shall be his. There is not a sphere of human activity which does not rest upon a basis of chance. The world itself is a huge lottery shop in which farmers, lawyers, physicians, merchants and handicraftsmen buy the tickets and trust to the fickle goddess of fortune to determine whether their lives shall be crowned with success or doomed to failure.[91]

Reference has already been made to the activities of Reverend Palmer (Presbyterian) and of Rabbi Heller (Hebrew). In addition to these, Reverend B. Carradine (Methodist) and Bishop Davis Sessums (Episcopal) were outspoken advocates of the anti-lottery cause, while Archbishop Janssens (Roman Catholic) also opposed the Company. Reverend Carradine published a sixty-page pamphlet against the Company. He used as his text Jeremiah XXII: 13, and divided his work into four parts: After giving his reasons for discussing the subject, he attacked the defenses made for the Company, then listed sixteen objections to, and charges against, the Lottery, and finally proposed seven means of effecting a remedy.[92] Bishop Sessums, in the course of a sermon at Christ Church on October 11, 1890, dwelt upon the law of labor. Archbishop Janssens declined an offer from

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[87] *Daily States*, January 11, 1890; *Item*, February 25, 1891.
[88] *Daily States*, December 27, 1891.
[89] *Times-Democrat*, May 3, 1889.
[90] *Item*, November 21, 1891.
[91] *Daily States*, April 16, 1890.
[92] B. Carradine, *The Louisiana State Lottery Company Examined and Exposed, passim.*

the Lottery Company to relieve the diocese of its debts, and forbade the blessing of lottery tickets.[93] The clergy seldom attacked the Lottery Company from the pulpit.

The religious press was a unit in their opposition to the Lottery.[94] Their arguments were usually founded upon Scriptural injunctions; e.g., "Is not gambling sin? Is it a sin to violate the law of labor: 'In the sweat of thy brow thou shalt eat thy bread?' Or the law of property: 'Thou shalt not covet'?"[95]

Instances of opposition from the church people are found as well. At the three consecutive annual conferences beginning in 1890, the Louisiana Methodists drafted resolutions against the lottery evil as being "not only a political question but also a moral and economic question."[96] In 1890 a Baptist minister was unfrocked by his congregation in Bienville Parish for having aided the Louisiana State Lottery Company.[97] The *Morning Star* was opposed to the Company, but did not want the religious press to be drawn into the squabble lest the "effect would be to irritate Catholic against Baptist and create a reaction among Catholics to the advantage of the lottery."[98]

Lottery supporters objected to the ministers using their cloth to arouse public sentiment. They also cited that lotteries had been used to build churches, even the Presbyterian church in New Orleans. Further, they answered that a divine in Maryland had written in support of lotteries,[99] and quoted a letter from "A Gretna Catholic" telling that lottery money had repaired churches at the time of the Ames crevasse.[100]

The Lottery Company itself was attacked for keeping a share of its profits out of all proportion to the receipts.[101] The enormous odds against winning a prize was stressed.[102] The

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[93] Buel, *loc. cit.*, XLIII, 628.

[94] The *Southwestern Presbyterian*, March 6, 1890, mentions the *Holy Family Journal* (Catholic), the *Morning Star and Catholic Messenger* (Catholic), the *Christian Advocate*, and the *Southwestern Christian Advocate* (Colored Methodist).

[95] *Southwestern Presbyterian*, January 30, 1890.

[96] *Minutes of the Conference*, 1890, 1891, and 1892.

[97] *New Delta*, December 17, 1890.

[98] *Daily States*, April 9, 1890.

[99] *Item*, October 14, 1890.

[100] *Ibid.*, August 27, 1891.

[101] *New Delta*, September 6, 1890.

[102] *Southwestern Presbyterian*, April 3, 1890, gave these figures:

Chances of winning @ $1 a chance:

99,999	to 1 against winning	$15,000
49,999	to 1 against winning	5,000
33,332	to 1 against winning	2,000
19,999	to 1 against winning	1,000
11,100	to 1 against winning	500
3,447	to 1 against winning	100
1,256	to 1 aganist winning	50
357	to 1 against winning	30
172	to 1 against winning	20
84	to 1 against winning	10
45	to 1 against winning	5

odious features of the daily drawings brought the usual censure. The secretiveness of the Company's affairs as to its stockholders and the dividends declared brought a protest.[103] The Company was charged with scaling its prizes by refusing to sell whole tickets.[104] There seems to be little evidence to support this charge, however, it being admitted by its outspoken opponents that the Company would pay its winners promptly.[105] Again, although it was claimed that there was not a single pro paper in the state that was not advocating "the revenue amendment" for "revenue" reasons,[106] there is every reason to believe that few papers, if any at all, received money other than for advertisements from the Company.

CHAPTER VIII

CONGRESSIONAL LEGISLATION AND ITS EFFECTS

Introduction—Early laws against lotteries—Revisions of those laws—Arguments—President Harrison's letter to Congress—Activities to charter a lottery company in North Dakota—President Harrison's message to Congress—Activities of the Louisiana Anti-Lottery League—The 1890 anti-lottery postal bill passes Congress—Provisions of the bill—Debate on the measure—Attacks on the Louisiana State Lottery Company—Attitude of the press toward the bill—Attempts to evade the law through using express companies as carriers—Demands for Constitutional amendment—The new law affects the press—Federal authorities enforce the law—Successes at enforcement—Effects on the business of the Louisiana State Lottery Company—President Harrison's report to Congress—The law tested in, and declared constitutional by, the Supreme Court—Effects of the decision—Subsequent legislation—Effects—Conclusion.

The Act of Congress that was leveled particularly at the Louisiana State Lottery Company was the one of September 19, 1890. That Act was passed at the time when the Company was fighting a desperate battle in Louisiana for its life. That Act, enforced to the letter, would have been sufficient to put the Company out of business, even if Louisiana had not decided as it did

[103] *New Delta*, September 26, 1890 and January 25, 1891, publishes an article where one Ambrose Smith, as tutor for his minor children, refused to sign a receipt for stock dividends because it was required of him to acquiesce in and endorse all expenses made by the management of the concern and directed them to destroy the vouchers for such expenditures.

[104] Buel, *loc. cit.*, XLIII, 619, has the following, which was also published in the *New Delta*, December 15, 1890:

"The clever device of dividing each ticket into twenty parts was invented so that the lottery company, by keeping back parts of each ticket, when there is a likelihood that all the tickets will not be sold, may preserve the ratio of sales and liability for prizes and thereby avoid all risk to itself."

[105] Johnson, *op. cit.*, 561,563.

[106] *New Delta*, June 9, 1891.

against rechartering the Company. That Act is so germane to this study that it deserves, and will be so accorded, full treatment in this chapter.

Inasmuch as the Act of September 19, 1890, was not a new subject but was rather a perfection of previous legislation against lotteries, a brief sketch of the earlier laws and their effects will now be given. Mention has already been made that up to 1827 Congress had not opposed lotteries.[1] In that year a law was passed which prohibited postmasters from acting as lottery agents or sending lottery tickets or circulars.[2] Then in 1842 Congress prohibited the vending of lottery tickets in the District of Columbia.[3] That legislation was followed by the Act of July 27, 1868, which made it unlawful to mail any lottery letters or circulars. There being no provisions made for its enforcement, that Act became a dead letter, and more drastic measures were provided by the Act of June 8, 1872.[4] Certain sections of that Act became known as Sections 3894, 3929, and 4041, *Revised Statutes*. These provisions formed the basis of the Act of 1890. The first-named section prohibited the mailing of any letters or circulars concerning illegal lotteries, while the other two sections authorized the Postmaster General to issue a fraud order against anyone found to be conducting any fraudulent lottery through the mails.

Even those acts were vulnerable; so, by the Act of July 12, 1876, the word "illegal" was stricken out of Section 3894, *Revised Statutes*, and by the Act of September 19, 1890, the word "fraudulent" was stricken out of Sections 3929 and 4041.[5]

It should not be concluded that the progress in anti-lottery legislation was made without opposition. In 1884 and again in 1886 attempts were made to exclude from the mails any and all newspapers containing lottery advertisements or statements. The opposition to such legislation was not in defense of lotteries—it being admitted on all hands that lotteries were "a pernicious species of gambling, exerting a demoralizing influence upon the people"—but that such a purpose was probably unconstitutional, and that Congress was not justified in passing such a bill. It was agreed that the general government had no authority to prohibit states from legalizing lotteries—that such legislation would cen-

[1] See Chapter I, above.
[2] Thomas, *op. cit.*, 5-9.
[3] *Ibid.*, 6-9.
[4] *Ibid.*
[5] *Ibid.*, 220.

tralize government too much. Such legislation, it was brought out, would lead inevitably to encroachments and restrictions upon the freedom of the press. The evil sought to be corrected was not so serious, it was declared, as the danger of the remedy proposed.[6] In 1888 another bill to amend Section 3894, *Revised Statutes*, was reported adversely by the Committee on Post Office and Post Roads.[7]

The history of the 1890 anti-lottery bill began when President Benjamin Harrison, in his first annual message, directed the consideration of Congress to the report of the Postmaster General showing the "unsatisfactory condition of the law relating to the transmission through the mails of lottery advertisements and remittances."[8] In this report the Postmaster General complained of the inability of the Department to carry out the intent of the statutes relative to lotteries. He reviewed the Dauphin *v.* Key suit and the New Orleans National Bank case.[9] He suggested that the word "fraudulent" be stricken out of the law on the subject, and "that the provisions of law applicable to individuals conducting lotteries should be extended to their agents and to all agencies acting for them, so as to exclude from the latter the right of receiving registered and money-order letters the same as their principal."[10]

Shortly after the delivery of Harrison's message, the eyes of the nation became focused upon the new state of North Dakota. Two months after that state had been admitted into the Union its Legislature met and considered a bill to grant a lottery charter in return for $150,000 per annum and an advance of $200,000 for the purchase of seed wheat.[11] A message from Dauphin to the Bismarck *Tribune* indicated the willingness of the Louisiana State Lottery Company to incorporate if the bill became a law.[12] Some people believed this was but a threat to frighten the Louisiana Legislature. The measure passed the North Dakota Senate, but failed in the House.[13]

This episode in North Dakota was followed shortly thereafter by a message to Congress from President Harrison.[14] Comment-

[6] *House Reports*, 48 Cong., 1 Sess., No. 826; *Senate Reports*, 48 Cong., 1 Sess., No. 233.
[7] *Senate Reports*, 49 Cong., 1 Sess., No. 11.
[8] James D. Richardson, ed., *Messages and Papers of the Presidents*, IX, 44.
[9] See Chapter IV, above.
[10] *House Executive Documents*, 51 Cong., 1 Sess., No. 1, Pt. 4, X, 39-41 (Report of Postmaster General for 1889).
[11] *Daily Picayune*, March 13, 1890.
[12] *Ibid.*
[13] *Congressional Record*, 51 Cong., 1 Sess., XXI, Pt. 9, pp. 718-719 (Remarks by Hansbrough of North Dakota).
[14] See Appendix C.

ing upon the lottery evil as affecting the entire nation, the President asked Congress to enact "severe and effective legislation to enable the Post Office Department to purge the mails of all letters, newspapers and circulars relating to the business." He transmitted a letter from the Postmaster General, dated June 28, 1890, showing that the present statutes were inadequate in carrying out their intent. The Postmaster General asked for more authority in handling sealed letters which were suspected to relate to a lottery.[15]

Judging from press comment on Harrison's message, the entire country was interested in the matter.[16] Most of the editorials praised Harrison and called upon Congress to act; but a few claimed that the system proposed was worse in itself than lotteries, and objected to such intrusive benevolent paternalism."

Just as the majority of the press favored the passage of an anti-lottery bill as advocated by Harrison, so did the majority of petitions and memorials received by Congress.[17] The petitions were referred as received to proper committees.

Sentiment was crystallized in favor of the anti-lottery mail bill largely through the efforts of the committee on Federal relations of the Anti-Lottery League of Louisiana.[18] This committee sent a circular letter to every judge and to every district attorney in the United States, asking that the former charge his grand jury upon the subject of dealing in lottery tickets and that the latter do his utmost to convict those indicted for such offenses. The committee also prepared an address to the people of the Union, a letter to the President of the United States, one to each Cabinet member, and one to every member of Congress. Letters were sent also to the leading newspapers of the country. The committee on Federal relations drew up the anti-lottery postal bill, Charles Parlange being the chief author.

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[15] *Senate Executive Documents*, 51 Cong., 1 Sess., No. 196.

[16] Supporting President Harrison or the idea involved were: Cincinnati *Commercial Gazette;* New York *Herald*, July 31, 1890; Philadelphia *Ledger;* Chicago *Herald*, July 31, 1890; Philadelphia *Press*, July 31, 1890; New York *Press*, August 2, 1890; *Harper's Weekly;* and Pittsburgh *Commercial Gazette.* Condemning Harrison or the measures proposed were: New York *Times*, August 5, 18, 1890; Galveston *News;* New York *World*, August 3, 1890; New Orleans *Daily States;* St. Louis *Republic*, August 9, 1890; New York *Herald*, August 17, 1890; and Louisville *Courier-Journal*, August 14, 1890.—(*Public Opinion*, IX, 341, 389, 405-408, 430, 452-453: July 19, August 2, 9, 16, 23, 1890.)

[17] Petitions in favor of anti-lottery legislation came from: Anti-Lottery League of Louisiana (*Congressional Record*, May 13, 1890, p. 4641); Farmers' Alliance of North Dakota (*Ibid.*, June 19, 1890, p. 6287); Society of Friends, Damascus, Ohio (*Ibid.*, August 19, 1890, p. 8841.

Petitions against anti-lottery legislation came from: Henry S. Chase of St. Louis, Missouri (*Ibid.*, August 5, 1890, p. 8185) Wage-Workers' Political Alliance of Washington, D. C. (*Ibid.*, August 21, 1890, p. 8905).

[18] *New Delta*, May 12, 1892.

House Bill No. 11569, which became known as the 1890 anti-lottery bill, was introduced into the House by the Committee on Post Office and Post Roads, with John Caldwell of Ohio as its chairman, as a substitute for seven other bills that had been referred to that committee and for three anti-lottery bills that were introduced on July 28; and it was signed by the President on September 19, 1890. As finally amended it passed without a single dissenting vote.

The chief provisions of the bill were listed by reports of a Congressional committee: (1) It made the mailing of lottery tickets and circulars a continuous offense triable in any jurisdiction through which they might pass;[19] (2) It closed the mails to newspapers that contained lottery advertisements and lists of prizes; (3) It prevented the action of a third person from breaking the spirit of the law; (4) It gave the Postmaster General authority to deny any agent of the lottery company the benefits of the registry and money-order systems.[20]

The debate over the measure was a spirited one. The minority, headed by Hayes of Iowa, submitted: (1) that the bill was unconstitutional; (2) That there were already enough laws upon the subject; and (3) That the provisions of the bill were dangerous in that they gave too great a power to the Postmaster General. These points gave rise to a heated discussion; but at no time was a defense made in behalf of lotteries.[21]

Naturally, the reprehensible features of the Louisiana State Lottery Company were brought forth. Several speakers attacked the Lottery.[22] Moore of New Hampshire mentioned that the Company was controlled by five or six individuals. Evans of Tennessee told of the Company's profits, and described the pernicious daily drawings in detail.[23] Andrew Price of Louisiana defended the morality of the Louisianians, reminded his hearers that the carpetbaggers had saddled the Company on his state, and told that ninety-three percent of the Company's proceeds came from without Louisiana. Theodore Wilkinson of Louisiana spoke along the same line, but in a more stirring appeal. He too defended his state, and predicted that if Congress did nothing on

[19] This "continuous offense" clause was inserted on the recommendation of Chief Post-Office Inspector Rathborne who, knowing conditions in New Orleans, realised that to be effective the law must take the cases out of the Federal courts in that city. *Ibid.*

[20] *House Reports*, 51 Cong., 1 Sess., IX, No. 2844; *Senate Reports*, 51 Cong., 1 Sess., IX, No. 1579.

[21] *House Reports*, 51 Cong., 1 Sess., IX, No. 2844, Pt. 2.

[22] *Congressional Record*, 51 Cong., 1 Sess., XXI, Pt. 9, pp. 8698-8712.

[23] See Chapter IV, above.

the subject Louisiana would not approve the state constitutional amendment in 1892 for recharter. Wilkinson's address was well received by his colleagues.

When the bill became a law, lottery opponents in Louisiana planned celebrations in New Orleans, Baton Rouge, and Monroe.[24] Their newspaper, the *New Delta,* predicted that the law would be enforced rigidly, and announced in a squib, "The lottery is now like a postage stamp—licked and put into a corner."[25]

Lottery supporters yelled at the injustice of the measure. They found that the bill was against state rights, against the freedom of the press, and against the civil rights of the individual.[26] They complained that the law conferred an enormous power upon the Postmaster General.[27] It was predicted that the constitutionality of the act would be tested in the Supreme Court to protect "the people's correspondence against the inquisitorial power granted the Post Office Department by this bill."[28]

The Lottery Company lost no time in deciding to conduct its business by express instead of through the mails, and advertised that it would pay express charges on orders of five dollars or more.[29] But the express companies offered no encouragement to the lotteries, three important companies announcing without delay that they would deny the lottery matter the use of their channels.[30]

Lottery opponents were not contented when the anti-lottery mail bill became law. They hoped for an amendment to the United States Constitution abolishing and prohibiting lotteries. Even while the bill was under consideration a Joint Resolution of the House and Senate, proposing such an amendment was presented and referred to the Committee on the Judiciary.[31] Within the next few months Congress received many memorials and petitions on the subject. At least six of these were prominent. They were either ordered printed, or were referred to proper committees.[32] Another unsuccessful attempt to have adopted a

[24] *New Delta*, September 17, 1890.
[25] *Ibid.*, September 18, 1890.
[26] *Daily States*, September 18, 1890.
[27] *Daily Picayune*, September 18, 1890.
[28] *Times-Democrat*, September 17, 1890.
[29] *Ibid.*, September 19, 1890.
[30] Wells Fargo Company, in *New Delta*, October 10, 1890; Adams Express Company, in *Daily Picayune*, October 24, 1890; United States Express Company, in *Times-Democrat*, October 24, 1890.
[31] *Congressional Record*, August 3, 1890, p. 9058.
[32] *Ibid.*, December 19, 1890, p. 706 (Memorial of the Anti-Lottery League of Louisiana); *Ibid.*, January 6, 1891, p. 939 (Petition of the Anti-Lottery League of Louisiana); *Ibid.*, January 10, 1891, p. 1171 (Petition of the Democratic Anti-Lottery State Executive Committee); *Ibid.*, January 10, 1891, p. 1171 (Petition of the Democratic Committee of Louisiana); *Ibid.*, January 19, 1891, p. 1555 (Petition of the Louisiana Conference of the Methodist Episcopal Church); *Ibid.*, February 3, 1891, p. 2077 (Petition of eleven Presbyterian clergymen of New Orleans); *Ibid.*, February 4, 1891, pp. 2129-2130 (Memorial of the National Farmers' Alliance and Industrial Union of America).

Constitutional amendment on the subject was made in January 1892.[33] Those favoring such a Constitutional amendment did so on the ground that the anti-lottery mail law might be ineffective because of the immense wealth and power of the Louisiana Lottery Company.[34] The opposition derided the idea of the amendment, on the principle that certain powers belong exclusively to the states.[35]

The press was affected directly by the new law. It could send none of its papers containing lottery advertisements through the mails. The editors of some papers resolved upon the expedient of publishing two editions: One, omitting the lottery material, was sent through the mails; the other, containing the prohibited matter, was sold on the city streets or sent by express. The mail editions ran announcements in the spaces formerly used for lottery advertisements. Samples of these announcements follow:

"Our country 'tis of thee,
Sweet land of Liberty.
Dead
To the World."

"This space was occupied by an advertisement but Reed's Gang shut down upon us on Sept. 16, 1890."

"The voice of the press throttled by an American Congress."

Beneath this was a picture of Reed, and under it the words "Czar Reed."[36]

"In Memoriam
A Free Press
Killed by Congress
Sept. 16, 1890."

Then followed an extract of the new anti-lottery postal law.[37]

In place of its usual advertisement, the Lottery Company ran the following in a single-column, five-inches-long space:[38]

"Dauphin!
Dauphin!
Dauphin!

[33] *Item*, January 9, 1892.
[34] *Congressional Record*, February 4, 1891, pp. 2129-2130.
[35] *Public Opinion*, XII, 319-322 (January 9, 1892).
[36] *Daily States*, October 4, 1890, reprinted from Houston *Herald*.
[37] *Item*, March 15, 1891.
[38] *Daily States*, October 25, 1890.

"Any person having business up to the 7th of November with M. A. Dauphin, New Orleans, can send package containing money not less than Five Dollars Free of Express by Express."

The attitude of the press, at first, was to pretend that the new law could not be enforced.[39] Evidently the activities of the Post Office Department and the Attorney General and his assistants made the press soon believe otherwise; for on September 29, 1890, the New Orleans postmaster stopped all editions of a New Orleans paper from going through the mails. Following this, the New Orleans papers continued intermittently for the next fifteen months to attack the law, claiming that it abridged the freedom of the press. Further, the charges were made again and again that the Post Office Department was harassing certain Southern papers because of political opinions expressed therein, but was not molesting Republican papers in other sections of the country. Again, poor mail service was charged.[40]

Federal authorities lost no time in enforcing the new law. In order to fight the lotteries at close quarters, the Post Office inspectors divided the country into twelve districts.[41] Headquarters of the district embracing Texas and Louisiana were moved from Austin to New Orleans. Orders were issued by Attorney General Miller urging the United States marshals and district attorneys throughout the Union to enforce the law to the letter.[42] Arrests soon followed in almost every district. This proved that lottery playing was nation-wide. Many arrests were made even in the shadow of the Capitol, the city of Washington being, next to New Orleans, the most profitable market for the lottery traffic.[43] Arrests in Ohio that reflected much credit on the Department were in the cases of Dave P. Johnston and his two sons who removed from Louisiana to Cincinnati in 1884 and operated a lottery there, it is reported for the Louisiana Lottery Company.[44] A warrant against Captain J. Pinckney Smith, business manager of the New Orleans *Daily States*, for sending issues of September 27, 1890, in violation of Section 3894, *Revised Statutes*, was announced on October 13, 1890.[45] The case was never

[39] *Ibid.*, August 3, 28, 1890.
[40] *Ibid.*, September 19, 29, 1890, May 14, 1891; *Times-Democrat*, October 10, 14, 1890, February 7, 12, 14, 1891; *Item*, April 21, September 26, October 7, November 6, 13, 22, December 5, 1891; *Daily Picayune*, November 23, 1891.
[41] *New Delta*, May 12, 1892.
[42] *Daily Picayune*, October 29, 1892.
[43] Cushing, *op. cit.*, 557.
[44] *Ibid.*, 555; See also Chapter II, above.
[45] *Daily States*, October 13, 1890.

presented for indictment, however.[46] Indictments by a Kentucky grand jury against twenty-five lottery dealers in Covington County took place in November 1890;[47] while two months later a Post Office inspector indicted a Chicagoan under the anti-lottery mail law.[48] Chief Post Office Inspector Rathborne and Inspector George C. Maynard did the most effective work for their Department.[49]

The success at enforcement can best be judged from annual reports of the Postmaster General for 1890 and 1891. The first report, issued two months after the enactment of the law, mentioned that the business of the New Orleans postoffice had fallen off one-third, and that registered mail addressed to the Louisiana State Lottery Company had been almost discontinued. And it was reported that the express companies had already declined to handle the lottery business.[50] The report of June 30, 1891, was even more convincing that the law was interfering with the Lottery Company's success. Mails were no longer used by the Louisiana Lottery Company for the transmission of printed matter in packages or unsealed envelopes. Only letters and packages under seal, to points not easily reached by the express companies, were sent through the mails. One express company openly received lottery matter. "Their position was that as common carriers they were bound to accept anything tendered for carriage not of a kind to endanger" anyone, and they cited a Supreme Court decision to support their views.[51] Reports of the Dead Letter Office reflected the decline in lottery business. During the calendar year 1889 that office received 11,266 lottery letters; during the first six months of 1890 that office received 5,686 lottery letters; during the next five months of 1890 that office received 2,597 lottery letters; but during the next eleven months (December 1890-October 1891) that office received only 686 lottery letters. The report admitted an influx of foreign lottery tickets; but went on to state that the Secretary of the Treasury had helped rid the mails by making lottery matter liable to customs duties and therefore unmailable under Article 11 of the

[46] Cushing, *op. cit.*, 526.

[47] *New Delta*, November 28, 1890.

[48] *Ibid.*, January 19, 1891.

[49] Cushing, *op. cit.*, 525.

[50] *House Executive Documents*, 51 Cong., 2 Sess., X, No. 1, Pt. 4, pp. 14-16 (Report of the Postmaster General for 1890).

[51] This was the Southern Express Company case, cited as "Ex parte Jackson" (96 *United States Reports*, 727).

Universal Postal Union Treaty. The activities of the Department in pressing prosecutions was shown by the following statistics:

Total number of arrests (Sept. 19, 1890-June 30, 1891)	153
Total number of indictments by grand juries	75
Total number out on bail awaiting action by grand juries	73
Total number of convictions	56
Total number discharged from custody (no case made out)	1
Average amount of bail required ($200 to $5000) in each case	$ 1,000

The press of the nation called for the enforcement of the law. "Of 2,259 newspaper editorials, published in 850 papers, which have come to the notice of the Department during the past year, 2,172 have opposed the use of the mails by lotteries, and 87 have favored it."[52]

A magazine article told that in the ten days prior to the passage of the anti-lottery law, the Louisiana State Lottery Company had received 30,000 letters and its agent, the New Orleans National Bank, 8,464 registered letters; and in ten days in July 1891, the Company had received but 534 letters and the bank only 41 registered letters.[53]

In his message to Congress on December 1, 1890, President Harrison stated that the "passage of the anti-lottery law has been received with great and deserved popular favor."[54]

It should be remembered that the Federal authorities were kept busy, in addition to keeping the Louisiana State Lottery Company under surveillance, in preventing foreign lotteries and fraudulent domestic lotteries from operating. Both of these types of lotteries caused much trouble.[55]

The case that tested the constitutionality of the anti-lottery postal law of 1890 was instituted in February 1891 and was decided a year later. George W. Dupre of the New Orleans *Daily*

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[52] *House Executive Documents*, 52 Cong., 1 Sess., XIII, No. 1, Pt. 4, pp. 17-22 (Report of the Postmaster General for 1891).

[53] Buel, *loc. cit.*, XLIII, 630.

[54] Richardson, *op. cit.*, IX, 116.

[55] Cushing, *op. cit.*, 527-540.

States violated the law[56] and notified the authorities that he had done so. Following his arrest his plea and demurrer were overruled, and he was locked up in the parish prison.[57] A similar case was that against John L. Rapier of Mobile, Alabama. On petitions for writs of habeas corpus the cases went to the Supreme Court. Briefs were filed in April 1891, J. C. Carter and Hannis Taylor submitting them on behalf of Dupre and Rapier, respectively.[58] The cases laid over until October, due to the illness of Justice Bradley.[59]

The case was argued in November 1891. Messrs. Carter, Taylor, and Thomas J. Semmes maintained that: (1) Lotteries are not *mala in se;* (2) That Congress cannot abridge the freedom of the press; and (3) That "no direct general power over lotteries established in the States is granted to Congress, and consequently they remain subject to state legislation." The Attorney General and his assistant claimed: (1) That Congress had the power to say what shall be mail matter and what shall not; (2) That Congress has the right to purge the mails of matter relating to offenses *mala in se* and *mala prohibita;* and (3) That "the freedom that has been invaded is the freedom of the press to advertise crime and immorality."

Chief Justice Fuller delivered the unanimous opinion of the Court in February 1892. The writs prayed for were denied. The decision discarded the distinction between *mala in se* and *mala prohibita* in this instance, and ruled, "Congress may designate what may be carried in the mails and what excluded."[60]

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[56] Following is the text of the letter mailed by Dauphin:

New Orleans, La.
February 12, 1891.

Mr. A. J. Bachemin,
Baton Rouge, La.
Dear Sir:

Enclosed you will find one-twentieth of ticket No. 40296 of Louisiana State Lottery, of the Feb. 17th drawing. Price one dollar.

That ticket, among others, I bought of a widow whose name she, herself, stamps on all tickets she sells, for you must know that she supports herself and her several children on the commission of 15 per cent which the Lottery allows her on all tickets she can sell.

I want you to help yourself; besides, you must get such of your friends who do not believe that to play lottery is to play with Hell fire, to club with you and order tickets through Mrs. Pasley, and I will risk the penalty of the law, myself, and transmit, *at my own expense and risks*, your monthly orders.

Read the circular enclosed. I will send you a similar one after every drawing, hereafter.

Yours truly,
Geo. W. Dupre.

[57] *Daily States*, February 27, 1891.

[58] *Ibid.*, April 16, 1891.

[59] *Times-Democrat*, April 28, 1891.

[60] "Ex parte Dupre, Rapier," 143 *United States*, 110.

Little comment followed in the press. One organ regarded that the evil as stamped out by Congress, and upheld by the Supreme Court, was a victory for the American people.[61] A New Orleans paper complained that the decision was a blow at the reserved rights of the states—that any state regulation could now be swept aside by the wide scope given to the Federal power.[62] The majority of the press favorable to lotteries accepted the verdict and gave up the fight.[63]

While the decision of the United States Supreme Court in the Dupre case was pending, Paul Conrad, president of the Louisiana Lottery Company, flooded the mails in 1891 with a pamphlet giving the decision of the Louisiana Supreme Court favorable to the Lottery Company in a mandamus suit;[64] between pages of the pamphlet was an ordinary express envelope containing the printed address of the New Orleans National Bank. At first these pamphlets were sent as circulars; later, they were sent under seal.[65] Clearly this was an advertising notice that the Louisiana Lottery Company was still prepared to carry on its business. After the Supreme Court decision, however, Conrad notified the Company's employees[66] that the Company would aid in the enforcement of the law, and warned them against violating the law. This was an admission by the Company of its defeat.

The next legislation by Congress was in the session of 1894-95. This was in the nature of a bill to suppress lottery traffic through national and interstate commerce. It extended the powers of the Postmaster General relating to delivery of registered letters to all letters or other matter sent by mail, and deprived lottery companies of the right to use express companies as carriers.[67]

That the country was determined to stop lottery traffic may be attested to by the fact that during the second session of the Fifty-third Congress, there were 157 petitions to Congress, and

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[61] *Public Opinion*, XII, No. 12, February 13, 1892, quoting the Philadelphia *Press*.

[62] *Item*, February 1, 3, 1892.

[63] Thomas, *op. cit.*, 222-223.

[64] See Chapter VI, above.

[65] Cushing, *op. cit.*, 531-532.

[66] "The Supreme Court of the United States having decided the anti-lottery law to be constitutional, it is hereby ordered and directed that no one in the employ of this company shall mail a letter which in any way refers directly or indirectly to the business of the lottery. It must be understood that this company will aid in the enforcement of the law.

"By order of the board of directors of the Louisiana State Lottery."—(Quoted in *Ibid.*, 561.)

[67] U. S. Assistant Attorney General for the Post Office Department, *Opinion of the Attorney General on Lotteries, February 4, 1896.*

during the next session 30 more petitions for lottery legislation;[68] at the same session a Senate resolution in five parts was ordered printed. This resolution called for the appointment of a committee to inquire whether the Louisiana or Honduras Lottery was operating in Florida.[69]

[68] *Congressional Record*, 53 Cong., 2 Sess., Index, p. 252; *Ibid.*, 3 Sess., Index, p. 114.

The Act of March 2, 1895, was tested in the Champion *v.* Ames case.[70] Its constitutionality was upheld by a five to four decision. The case was first argued in February 1901, and was decided two years later after four re-arguments. The question was, "Does the power to regulate commerce among the several states, which is given to Congress by the third clause of the eighth section of the First Article of the Federal Constitution, involve the power entirely to prohibit interstate commerce in a particular commodity."[71] The lottery and express companies answered the question in the negative. Attorneys for the appellant argued that the suppression of lotteries was a power reserved to the states; that lottery tickets are not articles of commerce; and that Congress does not possess power to prevent the transportation in other ways, as merchandise, of matter which it excludes from the mails. United States Assistant Attorney General Beck argued in reply that Congress can regulate interstate commerce. The majority opinion, delivered by Justice Harlan, was that "The government insists that express companies, when engaged for hire, in the business of transportation from one state to another, are instrumentalities of commerce among the states; that the carrying of lottery tickets from one state to another is commerce which Congress may regulate; and that as a means of executing the power to regulate interstate commerce Congress may make it an offense against the United States to cause lottery tickets to be carried from one state to another." The carrying of lottery tickets from state to state, it was held, constitutes interstate commerce, which Congress can prohibit as well as regulate. The minority opinion, delivered by Chief Justice Fuller, held that the law was unconstitutional. It stated:

> The naked question is whether the prohibition by Congress of the carriage of lottery tickets from one state to another by means other than the mails is within the powers vested in that body by the Constitution of the "United States". . . . If a state should create a corporation to engage in the

[69] *Senate Miscellaneous Documents*, 53 Cong., 3 Sess., No. 5.
[70] "Champion *v.* Ames," 188 *United States*, 321.
[71] *Harper's Weekly*, XLVII, 388 (March 7, 1903).

business of lotteries, on the ground that lottery tickets were the subjects of commerce? On the other hand, could Congress compel a state to admit lottery matter within it, contrary to its own laws?

The question was a far greater one than the transportation of lottery tickets.[72] The theory of the powers of Congress to regulate interstate commerce was in no wise affected, however, the majority opinion of the Court making it clear that it simply upheld the act without indorsing the theory upon which it was founded.[73]

In view of the decision in Champion *v.* Ames, that the Act of March 2, 1895, applied from state to state but not to territories, an amendment was passed in 1905. By this amendment the expression "or territory under the jurisdiction of the United States" was added; thus lottery traffic in the territories was regulated.[74]

CHAPTER IX

THE LOUISIANA GUBERNATORIAL ELECTION OF 1892

Introduction—The Anti-Lottery League dickers with the State Farmers' Union—The Lafayette combine—Meeting of the State Central Committee—McEnery announced as gubernatorial candidate by the Lotteryites—Meeting of State Democratic Nomination Convention—The factions meet separately—Each faction nominates its own ticket—Meeting of Democratic Anti-Lottery State Committee—Meeting of State Central Committee—The campaign—The ticket headed by McEnery—Fears of Republican success—The Republicans put out two tickets—The ticket of the People's Party—Morris withdraws his offer—Pleas for party harmony—McEnery's offer—Meetings of the two State Central Committees—The campaign—The primary election—The Committee of Seven—The general election—Nicholls' message—Foster's inauguration—Harmony effected—Lottery legislation in 1892—Lottery legislation in 1894.

The proposed lottery amendment was to be voted upon in 1892 at the time of the general election for state officers. This situation brought about two issues: the fate of the amendment, and the struggle for state political supremacy within the Democratic Party. But in time the lottery amendment, the fight for

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[72] *Independent*, LV, 574-576 (February 26, 1903), Editorial on "Trusts and the Lottery Decision;" *Outlook*, LXXIII, 508 (March 7, 1903), "Anti-Lottery Decision."

[73] *Chautauquan*, XXXVII, 6 (April 1903), "Regulating Commerce and Prohibiting Lotteries."

[74] *Senate Reports*, 58 Cong., 2 Sess., IV, No. 1190.

and against which had been instituted by the Progressive League and the Anti-Lottery League, respectively, became the campaign issue of the Democratic factions. It is for this reason that that campaign must be treated in detail in an account of the history of the Louisiana State Lottery Company.

Determined to defeat the lottery amendment and realizing the necessity of mustering all possible strength to do so, the Nicholls faction decided to win the support of the State Farmers' Union, then a strong organization in Louisiana. This it did by making political overtures.

The State Farmers' Union held its annual meeting at Lafayette in August 1891. It will be remembered that a year previous the Anti-Lottery League and the Farmers' Union had held meetings simultaneously in Baton Rouge.[1] The lottery amendment naturally came up for discussion. Judge Clegg of Lafayette, opposed to the lottery, delivered the address of welcome and recommended that the fate of the amendment be settled by the ballot.[2]

At the Lafayette meeting the anti-lottery delegates were Colonel J. D. Hill, J. C. Moise and John C. Vance of Orleans, and Judge R. S. Pery of Iberia.[3] These delegates had a three-hour conference with a committee of the Farmers' Union, with the avowed purpose of partitioning the state offices in the forthcoming convention between the two organizations.[4] It was announced that an agreement had been reached whereby at the State Democratic Convention which would be held in December 1891 names would be recommended so that the Farmers' Union was to have the candidates for governor, treasurer, and superintendent of education, while the anti-lotteryites were to be given those for lieutenant-governor, attorney-general, auditor, and secretary of state. T. Scott Adams was to be nominated as the candidate for governor.[5]

The anti-lotteryites defended the combination as being simply an agreement between Democrats, the object being to see that the state offices were not occupied by any but anti-lottery men, and to provide an equal and fair division of those offices between the two sets of Democrats.[6]

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[1] See Chapter VII, above.
[2] *Daily Picayune*, August 5, 1891.
[3] *Ibid.*, August 4, 1891.
[4] A meeting for that purpose had been reported held at Alexandria two weeks previous, at which the committee had been unable to agree. *Item*, July 22, 1891.
[5] *Daily Picayune*, August 7, 1891.
[6] *New Delta*, May 12, 1892.

The "Lafayette combine" was denounced by the press. Some absolved the Alliance from all blame for the combination, it being placed on the "anti-lottery politicians,"[7] while others accused both factions of "hankering after spoils."[8] The point was made that many of the members of the Union were Republicans, so that the bargain at Lafayette meant nothing to the Democratic Convention.[9] The Democrats were urged to treat the compact as an intended fraud, a plot to overthrow the Democratic Party in the state and to make the Farmers' Union principles[10] become "the shibboleth of Louisiana's rulers."[11]

The agreement brought about discord within the Farmers' Union itself. One wing of the membership was opposed to the "office and boodle" dicker.[12] Colonel T. J. Guice took up the matter with the head of the National Union to ascertain whether the members of the State Union[13] were bound to support the scheme. The answer was that "the action of the Alliance cannot bind individual members to support any party or platform."[14] Two months later the Lafayette compact was denounced at a Farmers' Union meeting at Alexandria.[15]

Following the Lafayette meeting, the next political gathering of importance was the meeting of the Democratic State Central Committee. This Committee assembled in New Orleans on October 14, 1891. In the meeting the antis took seats to the right of the chairman, the pros to the left. Four members put chairs in the aisle, as a profession of neutrality. On the first test vote these four joined the pros. This vote showed pros 39, antis 38.

The lottery proponents claimed that they favored white primaries to decide the lottery question. On the day before the State Central Committee met, the anti-lotteryites submitted the proposition to refer the question to the white Democrats of the state at a primary election to be held for that purpose. The

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[7] *Daily Picayune*, August 3, 1891.
[8] *Times-Democrat*, August 10, 1891.
[9] *Daily Picayune*, August 13, 1891.
[10] The National Farmers' Alliance and Industrial Union met at Ocala, Florida, in November 1891. Its chief demands were: (1) Abolition of all national banks; (2) Institution of the sub-treasury plan; (3) Increase of the circulating medium; (4) Prohibition of ownership of land by aliens; (5) Favoring an income tax; (6) Control of telegraph and transportation systems.
[11] *Item*, September 8, 9, 1891.
[12] *Ibid.*, August 21, 1891.
[13] The Natchitoches *Enterprise* claimed that the State Farmers' Union was an organization (1) to defeat the lottery amendment and (2) to enact wholesome legislation looking to the welfare of the farming classes. The *Item*, May 18, 1891, claimed it meant a third party.
[14] *Item*, August 10, 1891.
[15] *Daily Picayune*, October 3, 1891.

proposition required that John A. Morris and the "six unknowns" who were associated with him in the Lottery should enter into a notarial renunciation of the rights granted them in the lottery bill, to take effect if the majority of the votes should be cast against the Lottery. It also required that the primary election should be held under the rules of a committee of five—two pros, two antis, and J. S. Lanier, the chairman of the State Central Committee. The pros declined the proposition, claiming that holding the primary on the day of the election of delegates to the State Nominating Convention would open chances for frauds, and that Lanier was an avowed anti.[16] According to one account, during the convention the pros sat silent under the most "tearful excoriations" from the antis. After a session of nearly a week, all that was done was to fix the date for the meeting of the Democratic State Nominating Convention for December 16, 1891, in Baton Rouge; and the Committee adjourned until December 14, to meet on that date in Baton Rouge.

While the State Central Committee was in session, Samuel D. McEnery was announced as a candidate for governor. McEnery had been Governor from 1881 to 1888.[17] This was a master stroke on the part of the pros, as McEnery was better known and more popular than Adams.

Instantly meetings over the state changed from "Lottery meetings" to "McEnery meetings." A monster McEnery procession on October 27, a few days before the election for delegates to the Nominating Convention, was attended by 15,000 people in a five-mile parade.[18] It was said to have been paid for by the Lottery Company at a cost of $40,000.

Two days later it was predicted that Adams would be asked by his supporters to withdraw from the Lafayette compact.[19] Adams told a newspaper reporter that he would not unless requested to do so by the Farmers' Alliance.[20] An Adams parade in New Orleans, held on November 7, 1891, was reported to have a following of 3000.[21]

The election of delegates was attended by numerous troubles, each faction accusing the other of having committed high-handed

[16] *Times-Democrat*, October 15, 1891.
[17] Alcée Fortier, ed., *Louisiana*, II, 112-117.
[18] *Times-Democrat*, October 28, 1891.
[19] *Ibid.*, October 30, 1891.
[20] *Ibid.*, October 31, 1891.
[21] *Ibid.*, November 8, 1891.

outrages.[22] The country returns favored the anti-lotteryites, while, on the other hand, every ward in New Orleans returned McEnery delegates as winners. Both sides claimed to have a majority of the delegates.[23]

The Convention fight began over the naming of the temporary chairman, an important position because the credentials committee which would be named by this officer would pass upon the seating of all contested delegates. The pros had charge of the Democratic State Central Committee by a majority of one, and they refused to permit their chairman, Lanier, to exercise one of the established prerogatives of his office, that of naming the temporary chairman; the pros claimed that a majority of the Committee should have that right. That this dilemma would arise was known before the date set for the opening of the Convention. So, on the day before the Convention assembled, each side held a caucus in Baton Rouge, the McEnery faction at Pike's Hall, the other in the Senate chamber of the State House. A committee was appointed by each faction, to confer in an effort to effect a compromise. The antis demanded an anti-lottery plank in the party platform; the pros refused to submit to this. Upon the return and report of the anti committeemen, the following resolution was introduced and passed: "Resolved, that the Democratic State Convention do meet in the Hall of the House of Representatives tomorrow, Wednesday, December 16, 1891, and proceed to business."

The gravity of this resolution does not show on its face. It was a resolution splitting the Democratic Party in Louisiana. Some of the state's political leaders[24] "addressed the caucus in words of stern determination, regretting the necessity but accepting the responsibility of splitting the party." The caucus then adjourned until the next day.

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[22] The pros were accused of browbeating and intimidation to keep voters away from the polls. It was further charged that "repeating" was open and unblushing. Bribery was alleged, the method being the following scheme: the backs of tickets upon which the names of the lottery candidates were printed looked so much like five-dollar bills that one could not tell whether a voter was being handed a ticket or money. This "boodle" charge was called absurd by the pros. *Times-Democrat*, November 12, 1891.

The antis were accused of similar outrages, one striking case being in St. Mary, Foster's home parish. *Ibid.*, November 28, 1891.

[23] *Times-Democrat*, October 12, 1891.

[24] An anti account names some of these leaders in colorful metaphor: "Caffery of St. Mary, the Democratic war horse of the Teche; Foster, the gallant young Democrat who had headed the Spartan band in the Senate; Bell, of Caddo, who had led the Democratic forces of North Louisiana; Hunter of Rapides, the Murat of the Red River Valley; Barksdale of Lincoln, ever the servant of his people and his party."

The same account states that it was a touching sight, as there were "tears in the eyes of some; there were tears in the voices of all." *New Delta*, May 12, 1892.

On that day, they assembled at ten o'clock and remained in session until noon, when Lanier called the Convention to order and called to the chair as temporary chairman, Hiram R. Lott of West Carroll. T. S. Wilkinson was elected permanent chairman (president) of the Convention. T. S. Adams was nominated as a candidate for governor by General Bell. This was seconded by several delegates, and Adams was then nominated by acclamation. At this juncture, Adams declined "for the purpose of unifying Southern Louisiana and for the sake of the great cause in which we are involved."[25] Hunter moved a two-hour recess, which was adopted. Upon reassembling, A. D. Lafargue of Avoyelles nominated Murphy J. Foster. The Convention shouted itself hoarse, and Foster was nominated by acclamation.

The other candidates nominated were: Charles Parlange, lieutenant-governor; W. W. Heard, auditor; M. J. Cunningham, attorney general; John A. Pickett, treasurer; A. D. Lafargue, superintendent of education; and T. Scott Adams, secretary of state. Then a platform was adopted, denouncing the Lottery. The State Central Committee was reorganized.

While these scenes were being enacted in the Capitol, the other side claimed that Lanier and others had bolted; and they therefore proceeded to hold what they termed the "regular" convention. They drafted a platform favoring submission of the lottery matter to the people and severely arraigning the bolters.[26] Their state ticket was as follows: Samuel D. McEnery, governor; R. C. Wickliffe, lieutenant-governor; L. F. Mason, secretary of state; O. B. Steele, auditor; Joseph V. Calhoun, superintendent of education; G. Montegut, treasurer; and E. W. Sutherlin, attorney general.[27]

Each faction termed itself the regular Democratic organization and called the other the "rump".

The Democratic Anti-Lottery State Committee then called a mass meeting in New Orleans at Washington Artillery Hall for December 23, 1891. The meeting was called to order by

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[25] Adams' withdrawal bore out the predictions made by the pros that Adams would be forced to sacrifice his ambitions if the antis found that his candidacy would not strengthen their cause sufficiently. *Item*, November 2, 1891; *Times-Democrat*, October 30, 1891.

Although the proceedings would indicate that Adams' withdrawal was done graciously, the true account is that Adams felt that he had been betrayed. It was only after considerable pressure was brought to bear upon him that Adams agreed to withdraw and to accept the nomination of secretary of state. The writer had the privilege of interviewing Adams' daughter. She said: "My father was a terribly disappointed man. Reports are that he died of pneumonia; you may tell the world that my father died of a broken heart."

[26] *Times-Democrat*, December 20, 1891.

[27] *Ibid.*, December 19, 1891.

Colonel Vincent, with Colonel Louis Bush presiding. Addresses were delivered by James McConnell, Theodore S. Wilkinson, W. S. Parkerson, Reverend B. M. Palmer, John C. Wickliffe, Murphy J. Foster, Charles Parlange, and M. J. Cunningham. With this meeting the control of the fight by that committee ended, and the direction of affairs was taken over by the Democratic State Central Committee, which Chairman Wilkinson appointed a few days thereafter.

That Committee was composed of one member from each parish in the state and each representative district of the Parish of Orleans, and twenty-five members from the state-at-large. The Committee met on January 7, 1892, at the St. Charles Hotel, with sixty-seven members present. Messrs. C. Harrison Parker, F. C. Zacharie, F. A. Monroe, F. P. Stubbs, Duncan Stewart, Richard McCall, and Overton Cade comprised the committee on organization and campaign, while Messrs. John C. Wickliffe, A. A. Gunby, and E. B. Kruttschnitt comprised the executive committee.

A vigorous campaign followed in the state. At one time six parties of speakers were in the field in different parts of the state, with one or more of the nominees present at each meeting. Every parish in the state was visited. In New Orleans, meetings were held almost every night. The "New York Plan" was used: two wagons were employed, one with speakers, the other with a band.

Meanwhile the pros were not idle. They rejoiced in the strength of their ticket, headed by two ex-governors.[28] McEnery made a formidable candidate. In his letter of acceptance he declared himself opposed to lotteries, but favored submitting the question to the people. He stated that to raise a revenue by lotteries was not a proper function of the government. He believed that "neither side monopolizes all the virtue and intelligence in the State," and that since "an anti-lottery plank in the platform of 1883 failed in its purpose" the lottery was therefore "not a party question, and ought not to be made a test of Democratic fealty."[29]

The McEnery campaign in New Orleans opened with a mass meeting at the Washington Artillery Hall on January 8, 1892. McEnery was not present, but he sent a letter warning the Demo-

[28] *Ibid.*

[29] *Ibid.*, December 30, 1891.

crats that a rift in the party might be disastrous.[30] This became the tocsin of the McEnery faction.[31]

The McEnery faction then sent up the cry that Nicholls was removing all returning officers who were with the "regulars" so that the antis could "count out" the returns at the April election.[32] In justification of their fears they sent a committee to the Governor to ask for fair elections. They did this after an exchange of letters on that subject between Crandall, chairman of their executive committee, and George W. Flynn, State Register of Voters, had yielded them unsatisfactory guarantees.[33] Governor Nicholls' answer was: "I shall perform my duty quickly and strictly according to law."[34] This attitude on the part of the Governor did not satisfy the committee. They maintained that a promise to punish offenders was not sufficient—that they wanted a promise of the prevention, not punishment, of the offense.[35]

A great outcry was made that the Republicans might win if the Democrats would not unite. The Republican ticket put out by ex-governor William Pitt Kellogg was admitted to be very strong.[36] That the Republicans had hopes of winning was mentioned.[37]

The Republicans themselves were split on the lottery issue. The lottery Republicans under Kellogg put out a ticket headed by Albert Leonard of Caddo, while the anti-lottery Republicans under Henry Clay Warmoth headed their ticket with John A. Breaux of Pointe Coupée.

The People's Party held a convention and under the leadership of T. A. Clayton, formerly a member of the Democratic Anti-Lottery State Committee, put out a ticket headed by R. L. Tannehill.

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[30] *Ibid.*, January 9, 1892.
[31] *Item*, January 11, 1892.
[32] *Times-Democrat*, January 20, 1892.
[33] *Ibid.*, January 14, 1892.
[34] *Ibid.*, January 24, 1892.
[35] *Ibid.*, January 31, 1892.
[36] *Item*, January 20, 1892.
[37] "The Republicans throughout the State realize the excellent opportunity presented to redeem the State from the clutches of the robber hordes that have so miserably clutched its affairs for fifteen years under the name of Democracy, and they will not treat lightly those Republicans who dare endeavor to create division in our ranks, or who refuse to be amenable to party discipline.

"This election is an important one, and the chances of the party have not been so good since 1876; but if a few thousand Republicans in the parish of Orleans should neglect to register, and thus lose their votes, it might seriously jeopardize the success of the ticket. Let no Republican, then, fail to qualify himself at once, so that he can help boost his party into power." *Item*, January 15, 1892, quoting, in part, the *New Era*, the colored organ.

In a letter, dated February 3, 1892, John A. Morris announced his decision not to "accept or qualify under the amendment even were it adopted by the people at the general election of April 1892."[38] Although some viewed Morris' letter with suspicion, others thought Morris "should be believed and honored as a man desiring peace and having the good of the State at heart."[39] Appeals for harmony followed.[40] It was argued that since the lottery was no longer an issue, the Fosterites had no honest pretext for their contest.[41] The antis answered that they were staying in the race to make sure that the lottery matter would not spring up again in a constitutional convention.[42] Compromise was not thought of by the antis; instead, efforts were redoubled to push things to the finish in Louisiana by electing Foster, and in Congress by having a bill passed against express companies carrying lottery matter.[43]

The executive committee of the McEnery State Central Committee met on February 6, 1892, and drew up resolutions that, since Morris had withdrawn his offer, the Committee would have tickets printed "Against the lottery amendment", and declaring against a constitutional convention.[44] The next move was by McEnery, who wrote to the executive committee and suggested that both he and Foster withdraw and that another nominating convention be called. The committee accepted McEnery's proposition, and then sent a letter proposing this compromise to the "Foster Executive Committee." Kruttschnitt returned the letter without reply, stating that there was no "Foster Executive Committee."[45]

The two rival State Central Committees met in New Orleans, the Foster committee on February 16, the McEnery committee on the preceding day. Foster, in a letter to Theodore S. Wilkinson, placed the nomination "in your hands for such action as your committee may see fit." Parlange did likewise.[46] The Foster committee then received the proposition of the McEnery faction, in line with McEnery's offer.[47] They turned down the proposition

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[38] *Daily Picayune*, February 4, 1892. See Appendix D.
[39] *Daily Picayune*, February 7, 1892.
[40] *Item*, February 11, 1892, quoting Shreveport *Caucasian*, Coushatta *Citizen*, and *Louisiona Mentor*—all antis.
[41] *Item*, February 5, 1892.
[42] *Times-Democrat*, February 6, 1892.
[43] *Christian Union*, XLV, 297 (February 13, 1892), "Push Things".
[44] *Daily Picayune*, February 8, 1892.
[45] *Times-Democrat*, February 9, 1892.
[46] *Ibid.*, February 17, 1892.
[47] *Daily Picayune*, February 17, 1892.

on the ground that the procedure would be too costly. The refusal mentioned the belief that Morris' offer was a subterfuge. They submitted a counter-proposition that provided for a compromise in sharing the state offices between the two factions;[48] but this offer was rejected by the McEnery faction.[49] Another exchange of letters failed to effect a compromise. Finally an agreement was effected: Both tickets were to be submitted to a white primary on March 22, 1892, the winners to be declared the regular Democratic nominees.[50] A committee of seven (three from each side and the other to be selected by the six) was to supervise the primary election. Colonel John S. Young was selected as the seventh member and chairman of the group by the other members. These were A. W. Crandall, John Fitzpatrick and Charles A. Butler, one of the McEnery wing, and F. C. Zacharie, E. Howard McCaleb and James C. Moise, of the Foster group.[51]

Morris' offer of withdrawal and the agreement between the rival State Central Committees did not lessen the bitterness engendered in the campaign. Foster was charged with having made wholesale pledges of offices for votes through certain of his committeemen,[52] and was accused of waging a campaign in attempting to defame McEnery[53] The pros went so far as to claim that Foster had bartered with Republicans.[54]

Foster pledged a continuance of the policy of the Nicholls administration; McEnery's supporters used their candidate's record as past governor for their campaign arguments.[55] Both sides predicted success. It was conceded that McEnery would carry New Orleans, and Foster the country vote.[56]

The results of the primary on March 22, 1892, were so close that for five days each side declared itself victorious.[57] The committee of seven met in New Orleans on March 28, to promulgate the returns. On April 4, the chairman and the three Foster supporters voted to throw out certain returns, whereupon the three McEnery supporters resigned from the committee. On the following day, the majority statement gave Foster a majority of

[48] *Ibid.*, February 18, 19, 1892.
[49] *Ibid.*, February 18, 1892.
[50] *Ibid.*, February 20, 1892.
[51] *Times-Democrat*, February 25, 1892.
[52] *Item*, February 27, 1892.
[53] *Times-Democrat*, March 6, 1892.
[54] *Item*, March 3, 1892.
[55] *Ibid.*, March 3, 21, 1892.
[56] *Ibid.*, March 17, 1892; *Times-Democrat*, March 17, 1892.
[57] *Times-Democrat*, March 23-27, 1892; *Daily Picayune*, March 23-27, 1892.

549 votes,[58] while the minority statement gave McEnery a majority of 1570.[59]

The McEnery supporters refused to abide by the report of the majority of the committee. It was charged that the committee was not consistent in throwing out the returns.[60] The committee was declared to have emulated the Returning Board of 1876. Young was called a prototype of Madison Wells.[61] Mass meetings were held, and the campaign went on unabated until general election day. At the general election, Foster's majority was greater than his total vote in March. This brought about the usual cries of fraud.[62] The official count gave Foster 79,388 votes and McEnery 47,037.[63] Foster carried forty-seven parishes and McEnery only twelve. The official promulgation of the vote on Amendment No. 3 (the lottery recharter) showed a total of 4,225 votes for and 157,422 against it.[64]

The lottery issue was referred to by Governor Nicholls in the conclusion of his final message to the General Assembly. He said:

> Today, as she emerges from the struggle to which I was then alluding, a struggle so fierce, so profuond as to attract the attention of the whole Union, I feel I am justified again to say, "The pledges given have been redeemed, truly, fairly and squarely."

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[58] Whether Foster was really elected has been a moot question. The writer interviewed many persons, all of whom declared that the election was a "steal". Foster's appointment of Moise as Judge of the Criminal District Court, Zacharie as Registrar of Voters (*Times-Democrat*, July 6, 1892), and of Young to an office were bitterly assailed and taken as an evidence of the truth of the charge made against the committee (Personal letter to the writer).

[59] *Times-Democrat*, April 5, 6, 1892.

[60] Colonel Young was credited with having made the following statement: "I am satisfied, gentlemen, that the nomination of Judge McEnery would result in the absolute ruin of the Democratic party in this State. It is well-nigh ruined, anyhow, whatever may be the decision of the committee, and I am satisfied the Foster party will not abide by the decision we render here, in case it means the nomination of McEnery; I am certain that if McEnery is nominated it will result in the ruin of the party for those reasons." *Item*, April 5, 1892.

This statement brought about a prompt and complete denial from Young: "It is absolutely and unqualifiedly untrue that I ever, at any time or place, assigned as a reason for my decision that the Foster faction would bolt. The reasons that actuated me . . . are given in the published opinion of the majority of the committee of seven. . . . I have no fear but that the opinion of the majority of that committee will meet the approval of any unbiased judge or lawyer in the United States who will read the testimony adduced before the committee." *Daily Picayune*, April 11, 1892, reprinted from Shreveport *Caucasian*.

[61] *Times-Democrat*, April 6, 1892.

[62] *Ibid.*

[63] *Louisiana House Journal*, 1892, p. 47; *Louisiana Senate Journal*, 1892, p. 22. The official vote for governor and lieutenant-governor on all candidates was as follows:

For Governor		*For Lieutenant-Governor*	
Murphy J. Foster	79,388	Charles Parlange	79,495
Samuel D. McEnery	47,037	R. C. Wickliffe	47,062
A. H. Leonard	29,459	H. D. Coleman	29,500
John E. Breaux	12,359	James C. Weeks	12,298
R. H. Tannehill	9,792	S. J. Mills	9,804

[64] *Times-Democrat*, July 5, 1892.

> From that contest Louisiana emerges victorious, her virtue vindicated, her morality strengthened, her future, I trust, assured. Again she stands among her sister States as fair as any—as pure as any—as proud as any. The shadow has passed away. Once more she is moving to the front, and it will be for you to see that the course be steadfast and true. It will be for you to see that what has been faithfully and gloriously won shall be firmly and successfully maintained.[65]

Foster's inaugural address was a peroration to what had been said and done in the lottery struggle—probably the most important question that Louisiana was called upon to decide since secession. Foster presented "a brief retrospect" of the issue. In giving credit to those responsible for the victory, he acknowledged the gratitude due the various departments of the Federal government for their efforts. He saw in the destruction of the Lottery Company the disappearance of the last vestige of the appalling era of Reconstruction.[66]

At Foster's inauguration on May 16, 1892, Judge Frank A. Monroe presented the Governor with "a ship composed of flowers" as an emblem of the ship of state. The token was accompanied by resolutions.[67] Both were from the Women's Anti-Lottery League.[68]

The Foster State Central Committee and the McEnery State Central Committee met separately in Baton Rouge on June 15, 1892, the former in the Hall of the House of Representatives, the latter in Pike's Hall. Theodore S. Wilkinson and General Leon Jastremski were the respective chairmen. The purpose was to elect delegates to participate in the coming National Democratic Convention at Chicago for the nomination of candidates for the presidential election of that year. An agreement for the settlement of all past differences was effected by the two committees.[69] Harmony was at last a reality.

In the Legislature of 1892, W. B. Boggs of Bossier introduced House Bill No. 2 to prohibit the sale of lottery tickets after December 31, 1893. The bill prohibited lottery drawings and the advertising and soliciting for lotteries, provided penalties for these offenses, and repealed other laws in conflict with it.[70] After

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[65] *Louisiana House Journal*, 1892, p. 32; *Louisiana Senate Journal*, 1892, p. 15.
[66] *Times-Democrat*, May 17, 1892.
[67] See Appendix E.
[68] *Daily Picayune*, May 17, 1892.
[69] *Ibid.*, June 16, 1892.
[70] *Louisiana Acts*, 1892, No. 25, p. 35.

its three required readings, the bill passed the House by a vote of 77 to 2, with 18 absentees. The Senate amended the bill so that it would not affect the drawing of premium bonds in the city of New Orleans. The Senate vote on the bill was 29 to 0, with 7 absentees. The House concurring vote was then 66 to 0, with 31 absentees. Governor Foster signed the bill,[71] which became Act No. 25 of 1892.

At its next session, in 1894, the Legislature passed a bill introduced by James A. Ware of Iberville. This bill became known as Act No. 169 of 1894. Its purpose was succinctly stated in its title, "To suppress lotteries,"[72] the Legislature being determined to stop the Honduras Lottery Company from continuing their sale of tickets and the advertising of same in Louisiana.[73]

CHAPTER X

THE LOUISIANA STATE LOTTERY COMPANY IN ITS DEATH THROES

Introduction—Last drawings of the Company—Final announcements by the Company—The Company changes domicile—Drawings in Honduras—Methods used by the Company to evade Federal lottery laws—Federal officers gather evidence—Arrests and trial—Conclusion—L'envoi.

The vote in the April 1892 election sealed the fate of the operation of a chartered lottery in Louisiana insofar as the people themselves were concerned. Congressional legislation had made it even more convincing to the Lottery Company that lotteries, though once in popular favor as a means of providing revenue, were henceforth never to operate in the United States under favor of the law.

Two paths were therefore open to the Louisiana State Lottery Company: One was to pass quietly out of existence, without a further struggle; the other was to operate a foreign lottery and conduct its business under cover in the United States. The Company chose the latter course, and maintained itself in that way for thirteen years.

This chapter brings to a close the operations of the Louisiana State Lottery Company, gives an insight into the operations of its offspring—the Honduras National Lottery Company—principally concerning its activites within the United States, and reaches a final conclusion about lotteries.

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[71] *Louisiana House Journal*, 1892, pp. 52, 63, 121, 144, 158, 472, 483, 562; *Louisiana Senate Journal*, 1892, pp. 87, 95, 113, 131, 228, 251, 289.

[72] *Louisiana Acts*, 1894, No. 169, pp. 207-211.

[73] Fortier, *Louisiana*, II, 91.

The Louisiana State Lottery Company continued to operate until December 1893. During its last years the Company was reported to be losing $40,000 per month.[1] At its December 1893 drawing there were no speeches or ceremonies, other than the announcement that that was to be the last drawing of the Company, and a few remarks made by General Cabell.[2]

The last drawing was for a capital prize of $150,000, with 3434 prizes amounting to $530,920 for a $10 ticket.[3] What a contrast to a drawing five years previous for a capital prize of $600,000!

An advertisement appearing in October 1893 by Paul Conrad, president, stated that the Lottery Company, being prohibited by Congress the use of the mails, was answering correspondents and sending lists of prizes through the express companies. That same advertisement announced that after January 1, 1894, the drawings would take place in Puerto Cortez, Honduras, Central America, under and by virtue of a twenty-five-year contract with that government. Drawings were to be conducted monthly under the same management.[4] From two more advertisements one learned how the lottery-playing public was advised of the means to continue its game of chance. One was a 4x10 advertisement containing the following simple announcement: "Watch this space for something of interest which will appear in the near future."[5] The other advertisement, appearing four days later, gave the following information:[6]

"From and after
January 1st
My address
Will be
Paul Conrad
Puerto Cortez,
Honduras,
C. A."

"Via
Port Tampa City,
Florida, U. S. A."

This advertisement was run daily until August 17, 1894.

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[1] Richard Harding Davis, *Three Gringos in Venezuela and Central America*, 53.
[2] *Times-Democrat*, December 13, 1893.
[3] *Ibid.*
[4] *Ibid.*, October 2, 1893.
[5] *Ibid.*, December 8, 1893.
[6] *Ibid.*, December 12, 1893.

Another advertisement by Conrad appeared in theatre programs:

> Conrad! Conrad! Conrad!
>
> In accepting the Presidency of the Honduras National Lottery Company, (La. State Lottery Co.) I shall not surrender the Presidency of the Gulf Coast Ice and Manufacturing Company, of Bay St. Louis, Mississippi.
>
> Therefore, address all proposals for supplies, machinery, etc., as well as all business communications, to
>
> Paul Conrad, Puerto Cortez—Honduras,
> Care Central America Express,
> Port Tampa City,
> Florida, U. S. A.[7]

An account of how the change in domicile was accomplished is interesting. Being unable to get a charter to continue operations in Louisiana, Morris applied to Honduras.[8] The laws of that Republic required the deposit of one-third of the assets of any company incorporated in that country. Unwilling to do this, Morris operated the business under a concession in the name of "John A. Morris, Trustee." Trust certificates of stock of the Central America Trust Company, a corporation whose actual legal corporate existence has never been proved, were issued. One report was that the Company agreed to give Honduras $20,000 a year, plus twenty percent of its gross earnings.[9] The officers, agents, and stockholders of the old Louisiana State Lottery Company continued to carry on the business of the new lottery company.

The drawings were conducted in Honduras on a plan identical with that which had been followed in Louisiana. Two immense wheels (probably the same ones used in Louisiana) were employed. According to an eye-witness:

> Whenever there is a drawing, General W. L. Cabell of Texas, and Colonel C. J. Villere of Louisiana, who have taken the places of the late General Beauregard and of the late General Early, take their stand at different wheels, General Cabell at the large wheel and Colonel Villere at the one

[7] Davis, *op. cit.*, 30. Davis comments on the "naive manner" in which Conrad asked for correspondence on different subjects, especially "all business communications," and how at the same time he gives an address which would insure that the letters would not go to Puerto Cortez, but would be stopped at Tampa, as he meant that they should.

[8] It is stated that the Company attempted to locate first in Mexico, then in Colombia, and finally in Nicaragua; but those Republics refused to receive the Company. Davis, *op cit.*, 34.

Another report is that the Company decided to go to Honduras instead of to Mexico because it believed that its old friend, Major E. A. Burke, former State Treasurer of Louisiana but then a resident of Honduras, could get a better concession for them from the Honduran officials. *Sunday Record-Herald*, February 24, 1907.

[9] Davis, *op. cit.*, 35.

> holding the prizes. They open the doors which they had sealed up a month previous, and into each wheel a little Mexican girl puts her hand and draws out a tube. The tube holding the ticket is handed to General Cabell, and the one holding the prize won is given to Colonel Villere, and they read the numbers aloud and the amount won six times, three times in Spanish and three times in English, on the principle probably of the man in the play who had only one line, and who spoke that twice, "so that the audience will know I am saying it." . . . The two tickets are then handed to young Barross [the company's local manager], who fastens them together with a rubber band and throws them into a basket for further reference. Three clerks with duplicate books keep tally of the numbers and of the prizes won. The drawing begins generally at six in the morning and lasts until ten.[10]

After the 1895 Act of Congress forbidding the interstate carriage of lottery tickets or lottery advertisements was declared constitutional by the United States Supreme Court,[11] the Company sent lottery tickets as personal baggage. The business was operated in a clever manner. The tickets were printed at Wilmington, Delaware, and taken by messengers to New York, where they were stored in different warehouses. Each month the supply of tickets needed would be withdrawn from the places of storage, sorted into packages, and marked on the outside with a code name of the city for which they were destined. The tickets were then put into trunks and carried as personal baggage to Washington, D. C., whence they were taken again by messengers to the various states. The entire country was districted.

The manner of conducting the drawings, together with the announcement of results and the distribution of prizes, is of equally absorbing interest. On the date of the drawing, all unsold tickets—which were cancelled by cutting off the facsimile signatures of W. J. Demarest, president—were expressed by the various agents to various fictitious persons at Bay St. Louis, Mississippi. Here they were handled by E. J. Demarest, a brother of the Company's president and himself a former president of the Company. On the same day each state agent, except those in the Washington division, would send by express to New Orleans a statement of the sold and unsold tickets for that drawing, and the prize tickets for the previous drawing which he had cashed, which were returned to the Company as cash together

[10] *Ibid.*, 70.

[11] "Champion *v.* Ames," 188 *United States*, 321.

with currency or checks to balance his account. The agents in the Washington division (which included the territory north and east of the City of Washington and the State of Michigan), would report to Washington. The purpose of this special division was to keep account of certain concessions which had been granted to particular individuals there. The monthly drawings were held about the middle of every month at Puerto Cortez, Honduras. General W. L. Cabell and Messrs. C. W. Bredow and James Rea were the commissioners to attest to the honesty of the drawings. The results were cabled in cipher to New Orleans, and the first boat leaving Puerto Cortez thereafter brought the Commissioners to Mobile with the prize-winning numbers.

The lists of winning numbers and the approximation and terminal prizes were printed for a number of years in a printing establishment in Mobile. These lists were expressed to the Company's agents under assumed names throughout the United States. The name of the consignee never appeared on the waybills, the Company using the initials "C. W." for "Clear Water," the name of a boat which the Company had formerly owned and used.

Naturally, these operations could not go unnoticed for any period of time. On March 5, 1905, one of the lists was seized by customs inspectors in the baggage of General Cabell as he was returning from Puerto Cortez. Then, after conviction of one John T. Dickey, in the District of Delaware, for acting as an agent of the Mexican State Lottery, the attention of Federal authorities was called to a printing establishment in Wilmington. This establishment was watched from December 1, 1905 to May 1906 by secret service operatives. On April 27, 1906, the Federal authorities seized some matter sent from a printer in Wilmington to one in New York, under the fictitious name. The boxes contained plates used in printing lottery tickets. This shipment to New York was no technical violation of the statute, since it contained no printed tickets or advertisements; so indictments could not be made at that time.

The Federal agents then went to Mobile during November 1906, but no tickets were printed there during that month. The place was again watched in December. On January 23, 1907, the plant was watched, and at midnight boxes containing lists were loaded and carried to the express company. Secret service men got on the same train and seized the packages at Atlanta,

Georgia. About one o'clock in the morning the printing plant was raided and twenty-four operators, printers and pressmen arrested. Telegrams were sent to various parts of the country and raids were made upon the places of business of various lottery agents.

The cases were tried at Mobile on June 4, 1907, in the United States Court for the Southern District of Alabama, under an indictment charging more than thirty individuals with conspiracy to cause the interstate carriage by express of lottery literature and paraphernalia. About two hundred and forty witnesses were subpoenaed. A few charges were *nol prossed.* The other defendants plead guilty. The fines levied against them ranged from $10,000 down to $200, and aggregated $281,000. The promoters agreed to give up to the Department of Justice for destruction all books, codes, papers and other apparatus of the Company, and to dispose, at once, of the Wilmington printery.

The evidence accumulated by the Federal agents proved beyond doubt that the Honduras National Lottery Company was the offspring of the old Louisiana State Lottery Company. However, Messrs. Howard, Morris, Hyams and Baldwin had withdrawn from all connection with the Company in May 1906.[12]

Thus the child of the Louisiana State Lottery Company was denied life in the United States, and General Cabell's challenge in December 1893 was answered. Cabell had said:

> Time, the arbiter of all things, will in after years decide whether a sickly sentiment shall control, or a faithful, honest, charitable and benevolent way of dealing with the people in this manner is correct or not. The company wishes it understood that she will not be so far off that she could not hear the cry of distress of the good friends in this country, and that, as she has ever done, will come to their relief and assistance.[13]

Time did decide, but against the Company. The mandate of the country was proved to be a general antipathy and not a "sickly sentiment" against lotteries.

This concludes the narrative about the Louisiana State Lottery Company. Now a final word about lotteries.

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[12] *Item,* June 4, 1907. The story outlined in the *Item,* upon which this entire account is based, had the sanction of United States Attorney General Charles J. Bonaparte.

[13] *Times-Democrat,* December 23, 1893.

Congressional and other legislation have made it impossible for lotteries to operate under law. But the lure for gambling goes on unabated. The wheel of chance continues to draw its votaries who find no moral turpitude in taking a chance.

The city of New Orleans is pushing things to the limit in law enforcement against lotteries. The New Orleans Association of Commerce made a drive in 1928, in cooperation with the police force of that city, to eradicate lottery playing there. Many arrests were made, and prosecutions followed. More than fifty companies were discovered to be in operation. Five companies alone operated one hundred and fifty shops. The business was local in its scope. The tickets were of small denominations: 5¢, 10¢, 25¢, 50¢, and $1.00. Daily and monthly drawings took place. Through the vigilance of the New Orleans police department and the assistance of the Association of Commerce, the lottery evil has been almost destroyed in New Orleans.

APPENDIX A

CONSTITUTION OF THE ANTI-LOTTERY LEAGUE OF LOUISIANA*

Art. I. The name of this organization shall be the Anti-Lottery League of Louisiana, its object, resistance to the extension or renewal of the existing charter of the Louisiana Lottery Co., as also opposition to all general lotteries within this State.

Art. II. Its officers shall be a president, ten vice-presidents, secretary and assistant secretary, and treasurer. Each of these shall perform the duties usually assigned to the office he holds. They shall be elected annually, and be removable upon a two-thirds vote of members present at a regular meeting, or a special meeting called for that purpose by the executive committee; and in either case after a notice in writing served at least one week in advance upon the officer or officers implicated, as also upon each other member of the executive committee.

Art. III. There shall be in addition an executive committee of seven to be appointed by the president, who shall carry out all business for the general body and carry out its instructions, having power also to act of its own accord whenever confronted by sudden emergency requiring immediate action, and which cannot without injury be delayed until the action of the general body.

A finance committee of three members shall also be appointed by the chair, who shall supervise the affairs of this body.

* *New Delta*, May 12, 1892.

Other committees, not in conflict herewith, may be appointed as occasion may require.

Art. IV. This body may establish subordinate leagues to be organized in accordance with this constitution under officers to be approved by this parent league, and which subordinate leagues shall remain under the ultimate jurisdiction and control of this body.

Art. V. Admission shall be upon application recommended by two members and approved by the executive and finally by ballot, unless dispensed with by unanimous vote; three black balls excludes.

Art. VI. Any member of parent or subordinate leagues may be expelled upon vote of the members present and upon demand of the executive committee.

Art. VII. Amendments to this constitution shall be submitted in writing, signed by five members in good standing of this parent league, submitted at one regular meeting and adopted by two-thirds vote of members present at next regular meeting.

Art. VIII. All regular meetings of the parent league shall be on the 2nd and 4th Mondays of each month at 7:30 P. M., unless upon recommendation of executive committee or a majority vote of the members present at a regular meeting, change of dates shall be deemed necessary. Special meetings of this league shall be called by the president at the request of the executive committee.

Twelve members shall constitute a quorum.

APPENDIX B

NAMES OF LEADERS OF THE ANTI-LOTTERY MOVEMENT*

Col. W. G. Vincent, Orleans, President Anti-Lottery League of Louisiana

Hon. Murphy J. Foster of St. Mary, Gov.-elect of Louisiana

Hon. Theodore S. Wilkinson, Plaquemines, President Democratic State Convention, and Chairman Democratic State Central Committee

Hon. E. D. White, United States Senate

General Thomas F. Bell of Caddo, President Anti-Lottery State Convention

* These names, accompanied by portraits, appeared in the *New Delta*, May 12, 1892.

Hon. Charles Parlange of Pointe Coupée, Lt.-Gov.-elect of Louisiana

Hon. Ernest B. Kruttschnitt, Orleans, Chairman Democratic State Executive Committee

Hon. W. W. Heard, Union

Hon. Hiram R. Lott, West Carroll

Hon. B. F. Jenkins, DeSoto

Lt. Gov. James Jeffries, Rapides

W. W. Vance, Bossier

G. L. P. Wren, Webster

Gov. Francis T. Nicholls

Auguste Levert, West Baton Rouge

O. P. Amacker, Tangipahoa

Frank Marquez, Orleans

S. J. Henry, Cameron, Speaker of the House

O. O. Provosty, Pointe Coupée

Frederic Seip, Rapides

J. R. Phipps, Claiborne

G. A. Bruton, Union

Charles E. Decker, West Feliciana

W. L. Doss, Morehouse

Alexander Delhommer, Sr., Scott, La.

T. J. Kernan, Baton Rouge

Dr. H. Dickson Bruns, New Orleans

Euclid Borland, Orleans

William Porcher Miles, Ascension

Richard McCall, Ascension.

Capt. Jno. A. O'Neil, Franklin

H. C. Newsom, St. Helena

James A. Ware, Iberville

Frank A. Daniels, Orleans

J. A. Loret, St. Mary

A. E. Morphy, Orleans

J. M. McCain, Winn

Capt. Jno. Ford, Bastrop

W. C. Chevis, Acadia

A. R. Brousseau, Orleans

J. M. Foster, Shreveport

R. R. Lea, Orleans

Judge E. K. Skinner, Orleans

Sen. R. L. Gibson

J. E. Reynolds, Bienville
Don E. Sorelle, Sabine
Hon. M. J. Cunningham, Natchitoches
Hon. Hilton A. Strickland, Greensburg
C. Newton, Morehouse
Joseph S. Hebert, French Settlement
J. D. Shaffer, Terrebonne
John Wanamaker, P.M.G
Marvin D. Wheeler, Chief P. O. Inspector
P. O. Inspector Maynard
Dr. S. L. Henry, Orleans
D. W. Helm, Melville
George K. Bradford, Rayne
E. L. Cope
Robert P. Hunter, Alexandria
Amos L. Ponder, Sabine
Most Rev. Archbishop Janssens
Rev. Max Heller, Orleans
Judge F. A. Monroe, Orleans
J. M. Griffin, Oakley
Louis A. Richards
Cardinal Gibbons
Rev. B. M. Palmer
James David Coleman, Orleans
Giraud Farrar
Jacob Israel
W. B. Bloomfield
Constant Legarde
Noah Wells Longshore, Orleans
A. Doherty, Baton Rouge
R. H. Marr, Jr., Orleans
W. H. McClendon, Amite City
Gen. George D. Johnston
J. M. Gleason, Orleans
H. Wilkinson, West Baton Rouge
W. H. Jack, Natchitoches
H. B. McMurray, Orleans, Secretary Democratic State Central Committee
Don Caffery, St. Mary
J. E. Pelton, Acadia
Col. William K. Horn, Orleans

H. L. Garland, Orleans
J. A. Blaffer, Orleans
Col. A. A. Woods, Orleans
George A. Trauth, Orleans
H. D. Monier, Orleans
M. de Lucas, Orleans
A. D. Lafargue, Avoyelles
F. L. Campbell, Vidalia
H. C. Stringfellow, Red River
G. A. Fournet, Calcasieu
Dr. Frederick J. Mayer, Lafayette
D. W. Pipes, East Baton Rouge
Overton Cade, Lafayette
Chas. Kilbourne, East Feliciana
S. F. Meeker, Rapides
J. J. Alford, Washington
J. C. Gilmore, Orleans
J. G. Hawkes, Madison
J. N. Hancock, Jackson
A. T. Nelson, Claiborne
John Franklin, Vernon
G. W. Bolton, Rapides
J. R. Land, Caddo
R. H. Curry, Bossier
A. E. Sompayrac, Natchitoches
F. J. Dreyfous, Orleans
S. G. Laycock, East Baton Rouge
C. W. Seals, Claiborne
A. A. Batchelor, Pointe Coupée
Justin F. Denechaud, Orleans
A. P. Pujo, Lake Charles
Dr. C. J. Edwards
B. W. Marston, Bedford, La.
Charles T. Alba, Orleans
Henry McCall, Ascension
Augustus T. Terry, Orleans
Clifton Cannon, Avoyelles
Charles V. Porter, Natchitoches
John C. Vance, Bossier
T. S. Fontenot, Opelousas
J. H. Shepherd, Shreveport

C. C. Davenport, Morehouse
F. P. Stubbs, Ouachita
Dr. E. DeNux, Avoyelles
Dr. W. D. White, Abbeville
Col. David Zuble, Orleans
David Pierson, Natchitoches
Dr. C. C. Pritchard, Harrisburg
C. W. Ellis, Orleans
J. L. Dagg, Concordia
A. V. Coco, Avoyelles
Stephen D. Ellis, Amite City
T. C. McKowan, East Feliciana
J. C. Moise, Orleans
Louis Arnauld, Orleans
Bernard McCloskey, Orleans
Col. Louis Bush, Orleans
Geo. C. Perot, Orleans
H. W. Tabor, Thibodaux
E. T. Merrick, Jr., Orleans
Judge F. D. King, Orleans
E. Howard McCaleb, Orleans
J. H. Gilfoil, Madison
John A. Buckner, East Carroll
T. S. Adams, East Feliciana
J. Ward Gurley, Jr., Orleans
Fendel Horn, Orleans
J. F. Pierson, Coushatta
Judge A. A. Guidry, Ouachita
E. R. Chevalley, Orleans
Robert St. Martin, St. Martinville
P. M. Lambremont, Jr., St. James
Bishop Davis Sessums, Orleans
Rev. B. Carradine
Judge Frank McGloin
Capt. Hubert Murray, Algiers
Charles E. Babcock
James P. Kock, Donaldsonville
Frank D. Chretien
E. L. Woodside, Baton Rouge
J. C. Pugh, Coushatta
John Marsh Avery

John Henry Duggan
C. Harrison Parker
Branch M. King, Orleans
F. W. Price, Lincoln
Col. James Davidson Hill, President *New Delta* and Arthur Lafayette Combine
John Dymond, Plaquemines
Auguste Levert, West Baton Rouge
Jno. C. Wickliffe, Associate Editor *New Delta* and Secretary Anti-Lottery State Executive Committee

APPENDIX C

LETTER FROM PRESIDENT BENJAMIN HARRISON TO CONGRESS*

Executive Mansion, July 29, 1890.

To the Senate and House of Representatives:

The recent attempt to secure a charter from the State of North Dakota for a lottery company, the pending effort to obtain from the State of Louisiana a renewal of the charter of the Louisiana State Lottery, and the establishment of one or more lottery companies at Mexican towns near our border have served the good purpose of calling public attention to an evil of vast proportions. If the baneful effects of the lotteries were confined to the States that give the companies corporate powers and a license to conduct the business, the citizens of other States, being powerless to apply legal remedies, might clear themselves of responsibility by the use of such moral agencies as were within their reach. But the case is not so. The people of all the States are debauched and defrauded. The vast sums of money offered to the States for charters are drawn from the people of the United States, and the General Government through its mail system is made the effective and profitable medium of intercourse between the lottery company and its victims. The use of the mails is quite as essential to the companies as the State license. It would be practically impossible for these companies to exist if the public mails were once effectively closed against their advertisements and remittances. The use of the mails by these companies is a prostitution of an agency only intended to serve the purposes of a legitimate trade and a decent social intercourse.

It is not necessary, I am sure, for me to attempt to portray the robbery of the poor and the widespread corruption of public

* James D. Richardson, ed., *Messages and Papers of the Presidents*, IX, 80-81.

and private morals which are the necessary incidents of these lottery schemes.

The national capital has become a subheadquarters of the Louisiana Lottery Company, and its numerous agents and attorneys are conducting here a business involving probably a larger use of the mails than that of any legitimate business enterprise in the District of Columbia. There seems to be good reason to believe that the corrupting touch of these agents has been felt by the clerks in the postal service and by some of the police officers of the District.

Severe and effective legislation should be promptly enacted to enable the Post-Office Department to purge the mails of all letters, newspapers, and circulars relating to the business.

The letter of the Postmaster-General which I transmit herewith points out the inadequacy of the existing statutes and suggests legislation that would be effective.

It may also be necessary to so regulate the carrying of letters by the express companies as to prevent the use of those agencies to maintain communication between the lottery companies and their agents or customers in other States.

It does not seem possible that there can be any division of sentiment as to the propriety of closing the mails against these companies, and I therefore venture to express the hope that such proper powers as are necessary to that end will be at once given to the Post-Office Department.

BENJ. HARRISON.

APPENDIX D

MORRIS' LETTER WITHDRAWING HIS RECHARTER OFFER*

New Orleans, February 3, 1892.

To the People of the State of Louisiana:

In the spring of 1888 I was, at different times, approached by a number of prominent Democrats of Louisiana, who urged upon me the propriety, in the interest of the finances of the State, of submitting to the Legislature a proposition for a Constitutional amendment which would grant to me or to any of my associates a lottery privilege for twenty-five years in consideration of a license sufficiently high to be of material assistance to the State. It was urged upon me by these gentlemen that my associates

* *Times-Democrat*, February 4, 1892.

and I should be willing to give to the people of Louisiana an opportunity of obtaining, proportionately, as great a material benefit from the proposed charter as the holders of the existing charter have obtained from the current one.

I was assured, moreover, that the proposition would meet with little, if any, opposition under such conditions, for the opposition to the present charter was said to be based mainly upon the fact that the amount of license paid was entirely inadequate in the light of the needs of the people to the prevention of increased taxation, or to the reduction of present taxation by providing for charities, schools, levees, etc. These suggestions prompted me to announce to the people of the State of Louisiana that I would apply for such a charter, and would give the sum of $500,000 per annum as a license tax. Until I had announced that I would make such a proposition to the State, there had been no opposition manifested toward the continued existence of a lottery in Louisiana.

After I had publicly submitted my offer to the people, and had committed myself to its terms, to my surprise some of the prominent men who had approached me on this subject and who had urged me to make such a proposition, became opponents of the project, and aided in organizing public hostility against it.

At the solicitation of a number of gentlemen who still favored the proposition and whose property had suffered from overflows of the Mississippi river, I increased the amount that I had originally offered to pay as a license tax for the privilege of a new charter to $1,000,000. This latter amount was increased still further by the Legislature to $1,250,000 per annum, and in this condition the amendment was ordered to be submitted to the people by the requisite two-thirds vote of each branch of the Legislature.

Then began a crusade on the part of those opposed to the proposition, inside and outside of the State, for the purpose of preventing the adoption of the Revenue Amendment, and of making the management of a lottery as objectionable to the people of the United States as possible. The fact that the $1,250,000 per annum license tax which was to be paid to the State of Louisiana would be derived from a business which would come from other States and foreign countries, brought about the enactment by Congress of what is now commonly known as the "Anti-Lottery

Postal Law." It was charged at all times that it was my object to have the Revenue Amendment passed by negro votes, against the wishes and desires of a majority of the white people of the State of Louisiana; yet, on all occasions, I had strongly urged that the amendment should be submitted to the white people at a primary election, so that they could pass upon the question whether they wanted the amendment adopted or not, as I had no desire to be connected with the proposition unless it received the approval of a decisive majority of the white people of the State of Louisiana.

After the passage by Congress of the "Anti-Lottery Postal Law" I was informed by a number of eminent and able attorneys, whom I consulted, that this law was a violation of the rights of the State, and of the freedom of the press, and such would be, in their opinion, the decision of the Supreme Court of the United States.

Accordingly test cases on the question were made up and submitted to that court for determination. From the institution of the test cases until now the opposition to the Revenue Amendment has intensified in bitterness.

Realizing thoroughly, my associates and I, that we have been incorrect in our opinion of public sentiment on this question of a new charter, and not desiring to see the people of the State of Louisiana involved in strife over this question, I hereby declare upon my part, and on the part of my associates, that we would not accept or qualify under the amendment, even were it to be adopted by the people at the general election of April, 1892.

As the Supreme Court of the United States has decided the anti-lottery postal law to be constitutional, it is my purpose and that of my associates to respect that law, and abstain from violating it in any manner.

Our offer was prompted as much by a desire to benefit the people of the State of Louisiana, as by the prospect of profit to ourselves from the grant as a business proposition. My associates and I are closely identified with the interests of the people of Louisiana, and we own much property within the borders of the State.

Convinced that the granting of another Lottery charter in the State would be the cause of continued agitation and discontent upon the part of a number of the citizens of Louisiana

for the entire period of which such a charter might be granted, we would be unwilling to accept such a charter, even though it were given to us without the payment of one dollar of license tax.

JOHN A. MORRIS.

APPENDIX E

RESOLUTIONS TO GOVERNOR FOSTER FROM THE WOMEN'S ANTI-LOTTERY LEAGUE OF LOUISIANA*

Rejoicing ardently at the success of the heroic struggle against the evil which threatened our homes, proud of the part which women have borne in that struggle, and most grateful to the chief who has led our forces against the enemy, we are eager on the day when he puts his hands upon the helm of State to express our enthusiastic devotion to him and to the cause of which he has been the dauntless champion.

Therefore be it resolved, that we, the women of the Anti-Lottery League, express to the Hon. Murphy Foster our grateful appreciation of the noble steadfastness with which he has met and conquered the infamous Louisiana State Lottery organization.

Resolved, That we tender as a league our loyal devotion and our readiness to respond to any call he may hereafter make upon our allegiance.

Resolved, That we offer to him our heartiest wishes for all good fortune during his administration and bid him a most loving "God Speed."

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* *Times-Democrat*, May 17, 1892.

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THE HISTORY OF CROWLEY, LOUISIANA*

By VELMA LEA HAIR

CHAPTER I

EARLY HISTORY OF ACADIA PARISH AND CROWLEY

Acadia Parish

Long before the white people came to southwest Louisiana, Indians roamed the prairies of the present Acadia Parish. It was a vast expanse of land, very flat, and barren of any cultivation, producing only tall grass and wild horses. The Indians in this section are thought to have belonged to the Natchez and Choctaw nations. In the northern part of the parish may still be found arrow heads and chipped flint, which was used to shape the arrow heads. The winnowing baskets used by early Acadians to clean rice are another Indian relic.

It is not known just when the first white occupants came into this district, but, in 1757, mention is made of a few French-Canadians abandoning their homes in Canada to join their countrymen in Louisiana. During the decade from 1760 to 1770 the Spanish government made grants there to exiled Acadians. Governor O'Reilly, in addition to grants of land, supplied settlers with cattle, provisions, and farming implements to induce them to enter the district.[1] Stock raising became the chief industry, though tobacco, corn, and cotton were grown. Most of the land, however, was still overgrown with tall prairie grass and contained thousands of crawfish chimneys.

South of the present town of Rayne, on the banks of the Mermentau River, one could find an occasional settler and his family. They lived in mud houses, used primitive methods of milling rice by mortar and pestle, and raised only enough rice for their personal use, their gardens affording them their chief foodstuffs.[2] These people and a German colony introduced into the parish in 1870-1871 by Joseph Fabacher of New Orleans[3] were the principal early settlers of the region.

No roads or railroads had been built through the section until Morgan's Louisiana and Texas railroad men plotted the

* Master's thesis in History, Louisiana State University, 1941.

[1] Alcée Fortier (ed.), *Louisiana*, 3 vols. (Atlanta, 1909-1914), II, 418.

[2] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 3.

[3] *Biographical and Historical Memoirs of Louisiana*, 2 vols.. (Chicago, 1892), I, 219.

route through there in the late 1870's. A trail near the present site of Crowley served as the connecting link between Lafayette and Lake Charles, with a branch stretching off through the prairie toward Opelousas. For the past hundred years Washington, Louisiana, located near the junction of bayous Teche and Courtableau, which afforded it water communication with Morgan City, had been the chief port and shipping center of southwest Louisiana. However, with the construction of the railroads through the region, Washington began to lose its trade.[4]

What is now Acadia Parish was at that time the southwestern section of St. Landry Parish, of which Opelousas was the parish seat. Since Opelousas was located in the north central part of St. Landry, it made things very inconvenient for the people living in the southwestern part of the parish. All legal business had to be transacted at Opelousas. If one was a witness or juror at court, he had a long way to travel and had to leave home before court began. At the end of the year he had to make another long and dreary trip across the prairies to pay his taxes. This inconvenience and expense, together with their objection to being governed by such remote parish offices, made the voters desire the creation of a new parish.[5]

The question of a new parish must have been discussed locally for some time, but one of the first evidences that the movement had wide popular support is found in the *Rayne Signal* of March, 1886. In that month a committee of seven men from the town of Washington visited Rayne to discover the sentiment of the people there on the question of dividing the Parish of St. Landry. They stated that the people of Washington were very much in favor of a division and asked if southwestern St. Landry could be relied upon to assist in the movement.[6] Many prominent men in Opelousas were also in favor of the change.

A mass meeting was called soon after the visit of the Washingtonians, and on Saturday, April 3, 1886, about fifteen hundred men assembled in Rayne. Mayor B. H. Harmon of Rayne was elected president of the meeting, with George K. Bradford as vice-president and A. S. Chappuis as secretary. One committee of five members was appointed to draw up appropriate resolutions, and another of three members was named to frame a bill

[4] *Crowley Daily Signal*, Oct. 4, 1937, Parish Section, p. 1.
[5] *Ibid.*
[6] *Ibid.*

to be presented to the Legislature. Speeches from anyone who desired to address the group were in order. C. C. Duson, sheriff of St. Landry, who later became one of the founders of Crowley, and G. W. Hudspeth, the district judge, both spoke in favor of the division of the parish.[7] Another mass meeting, held at Church Point, decided the question of the boundary lines of the new parish,[8] which were substantially the same as those of today. Much discussion and argument went on throughout the length and breadth of St. Landry, the chief argument against division being that if the change should be made the Republican Party would become predominant in St. Landry.

On May 19, 1886, Representative J. L. Lyons of St. Landry introduced in the House a bill entitled "An Act to create the parish of Nicholls, and to provide for the organization thereof." It was referred to the Committee on Parochial Affairs and came back with its title changed to "An Act to create the parish of Acadia and to provide for the organization thereof." As such, it was passed by the House on June 11, by the Senate on June 28, and was approved by the Governor on June 30, 1886.[9] The election on the question of forming a new parish was set for October 2, 1886. Even before the election was held, those who favored the division of St. Landry were so sure of the outcome that a great deal of discussion as to the location of the new parish seat went on.

The morning of October 2, 1886, found hundreds of voters at the polls, and when the votes were tabulated it was found that the divisionists had won by a vote of 2,516 to 1,521. The opposition had even lost in Opelousas, and in Rayne the vote was about 500 to 2 in favor of the change.[10] The question was settled. Acadia, the fifty-ninth parish in Louisiana, was created.

Crowley

Any mention of the beginning of Crowley immediately brings to mind the Duson brothers who were its founders. The father of these two men was born in Canada of Scotch-Irish stock. In 1837, when the French-Canadians rose against the English he joined the revolutionists. Later he went to Boston and then came to Louisiana, settling on the Mermentau River in St. Landry

[7] *Ibid.*, p. 7.
[8] *Ibid.*
[9] *Louisiana House Journal*, 1886, pp. 23-24.
[10] *Crowley Daily Signal*, Oct. 4, 1937, Parish Section, p. 7.

Parish. There he married Sarah Ann, a daughter of Captain John Webb. C. C. Duson was the second child of this marriage and W. W. the fourth[11] Neither of the boys had much schooling, and both had to work to help support the family. In 1884 W. W. Duson moved to Rayne and entered the real estate business. Out of this activity came his dream of Crowley. His brother, C. C. Duson, then serving as sheriff of St. Landry Parish, joined him and together they made the dream come true.

Several stories are told about the location chosen for Crowley. Probably no one today knows definitely. One story, concerning Mermentau, is that the Duson brothers and a group of capitalists visited the village to sound the river. While there, the men decided they would like to fish. They went to the village store to purchase the necessary fishing tackle, but discovered that none of them had any money. Before coming to Mermentau they had changed their clothes at the Crowley Spur and had forgotten to keep their pocketbooks. The storekeeper refused to give them credit and the incident was never forgotten. This story may explain why Crowley is located about twelve miles from the Mermentau River where it would have had a good port.

The other story about Mermentau involves the refusal of the citizens of that village to cooperate with the Duson brothers when they wished to purchase sites for the town and waterfront at reasonable figures. Becoming disgusted, they obtained cheap lands on the present site of Crowley.[12]

The third story, which has less credence than the others, relates that when the school tax in Rayne was opposed, W. W. Duson remarked that he would build a town where the citizens would support the schools; and from this desire Crowley was founded.[13]

At the time when the Duson brothers were planning their new city, discussions were being held on the location of the parish seat for the newly-created Acadia Parish. Rayne and Prairie Hayes had already put in their bids. About a week after the new parish was created, Will Hockaday of Prairie Hayes offered the sum of $10,000 and a donation of lands for public buildings if Prairie Hayes was named as parish seat.[14] Rayne claimed the convenience and economy of her location should make her the logical parish seat.

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[11] H. S. Kneedler, *Through Storyland to Sunset Seas*, 47-48.
[12] *Crowley Daily Signal*, Oct. 4, 1937, Parish Section, p. 16.
[13] *Ibid.*, City Section, p. 8.
[14] *Ibid.*, Parish Section, p. 7.

The first mention of the building of a new town which might enter the contest seems to be the following statement that appeared in the Abbeville *Meridional:*

> It was whispered in our ear a few days ago that while the citizens of Rayne and Prairie Hayes are discussing the question as to which place would be the most eligible point to build a courthouse for the new parish of Acadia, some parties in Opelousas are privately discussing the propriety and arranging a scheme of having it located six miles west of the former named place, and called the new town, Parkersonville.[15]

In 1886, a one hundred and seventy-four acre tract of land was sold for $80, a little less than forty-five cents an acre, to the Southwest Louisiana Land Company. This company with headquarters in Opelousas was headed by Alphonse Levy as President and with W. W. Duson as general manager. C. C. Duson lent his political training and his ability as a diplomat to help make the project a success, but it was W. W. Duson who managed the business transactions and insured the success of Crowley. On this site the town of Crowley was laid out. Pat Crowley, an Irish section foreman, was persuaded to help run the railroad lines into the territory with the promise that the new town would be named for him.[16]

According to the plan for the new town, the streets were to be eighty feet wide and the avenues one hundred and fifteen feet wide; the streets were to be numberd and the avenues to be known by the letters of the alphabet; the streets were to run east and west, the avenues north and south; and where they intersected right angles were to be formed.[17] The only exception to this plan was Hutchinson Avenue which was to run east and west, and where it intersected Parkerson Avenue a circle was to be formed, which would mark the center of the town.

In September, 1886, W. W. Duson had bought the *Signal* at Rayne,[18] and advertising on an extensive scale began. Advertisements were placed in other newspapers which also published news stories about Crowley and its founders. Special editions were printed and distributed throughout the country, especially in the north central and northwestern states. The railroad helped by printing circulars advertising the region and offering

[15] *Opelousas Courier*, Dec. 4, 1886.
[16] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 8.
[17] *Ibid.*, p. 7.
[18] *Ibid.*, *Signal* Section, p. 1.

special rates into the territory. The freezing winters of the north and the droughts in the middle west caused settlers to be attracted by advertisements describing the country as the "best farming and stockraising sections of the world" where "good grass, good water, and good health overflow."[19] The auction sale of town lots in Crowley and of other lands situated in Acadia, St. Landry, Lafayette, and Calcasieu parishes, to be held in Crowley on February 11 and 12, 1887, were especially advertised.

Even before the sales were held businesses were being located there. In January, 1887, J. N. Foote, representative of a lumber firm, visited Crowley, purchased six lots on which to locate a lumberyard, and was donated three lots by the Southwest Louisiana Land Company on which to build cottages.[20] Other enterprises were also being undertaken. Work had begun on a depot, a schoolhouse, a blacksmith shop, a large livery stable, a company store, a coffeehouse, and a cottage. As soon as possible two more stores were to be erected and work continued on the hotel whose foundations were already laid.[21]

By February, 1887, seventy-five men were at work in Crowley. Fourteen miles of ditches had been dug, streets had already been laid out and leveled, about 4,000 shade trees had been planted, and work was being continued on the various buildings.

The auction sale began on February 10, 1887, with buyers present from all the nearby towns and from such widely distributed points as New Orleans, Mobile, Atlanta, Chicago, St. Louis, Galveston, Louisville, and from several of the northwestern states.[22] It was to be a day of pleasure as well as business, with roulette, chuck-a-luck, and a miniature lottery in evidence. A free barbecue was provided every day of the sale, with Austin Lacombe, famous Opelousas caterer, in charge. The railroads made special rates of $1.50 from Opelousas to Crowley and $4.00 from New Orleans to Crowley, for the round trip.[23]

Promptly at three o'clock, immediately after the arrival of the train from New Orleans, the sale started. C. C. Duson was crier. Terms were to be one-half in cash and the balance in twelve months without interest, with the privilege of two lots at the price bid for one. Mr. Duson explained, first, that Acadia

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[19] New Orleans *Daily Picayune*, Dec. 21, 1886; Feb. 10, 1887.
[20] *Opelousas Courier*, Jan. 22, 1887.
[21] *Ibid.*, Jan. 29, 1887.
[22] *Daily Picayune*, Feb. 11, 1887.
[23] *Ibid.*

was a new parish with a population of about 8,000. It was the desire of the Company to have the parish seat located in Crowley, and they had deposited $5,000 to be paid to the police jury if this was done. If not, the money was to be used in making wagon roads, and they would make Crowley a commercial town if they could not make it a political one. The Company, he stated, had begun work in Crowley five weeks before, had already spent thousands of dollars, and would spend more if necessary to make Crowley a city.[24] Most of the lots were fifty by one hundred feet in size. The first was sold to Henry Rose of New Orleans for $50. The total number sold that first day was ninety-nine, for the total sum of $9,600.[25] The total sales of the second day of the auction amounted to $17,000, one lot, containing an unfinished hotel, selling for $2,500.[26] After the sale was concluded, construction work began again. The Crowley House, a hotel, was completed and the construction of residences was rushed.

In February, 1887, the Southwest Louisiana Land Company had offered to donate $5,000 in cash and lands on which to locate the public buildings if Crowley were selected as the parish seat.[27] Prairie Hayes and Rayne were still strong contenders for the honor, and for a time before the election the arguments became rather hot. Editorials in the newspapers tore down the arguments advanced in favor of the opposing side and set forth the qualifications of the town of the editor's choice. The election to determine the location of the parish seat was set for March 1, 1887, and on that day more than the usual number of voters went to the polls. The election returns were as follows: For Crowley, 698 votes; for Rayne, 560; for Prairie Hayes, 519.[28]

Crowley was victorious. She was to be the political center of the new parish as well as a commercial and business center. On March 5, 1887, the *Opelousas Courier* carried the following article:

> The Crowley Boom which started a thriving village on an open prairie in a few days time, mainly through the liberal use of printer's ink and the determined energy of its projectors, bounced the embryo town into the staid dignity of a parish site last Tuesday. This gives the place a permanent habitation and a name which will not prove the

[24] *Ibid.*
[25] *Ibid.*
[26] *Ibid.*, Feb. 12, 1887.
[27] *Crowley Daily Signal*, Oct. 4, 1937, Parish Section, p. 7.
[28] *Opelousas Courier*, March 5, 1887.

evanescent bubble that many predicted it would be. As a matter of course its success is now assured and Crowley will take its stand among the sisterhood of the parish capitals and march on the road of rapid progress and prosperity.

CHAPTER II

GROWTH OF THE RICE CITY OF AMERICA

Crowley As a Villege, 1887-1889

The village of Crowley was only a few months old when it was selected as the parish seat of the new Acadia Parish. This act gave a great impetus to the growth of the village and established beyond all doubt that it was to become a place of importance. The continued advertisement of the community by the Southwest Louisiana Land Company caused a steady stream of immigration from the North and West to set in. It was these "snowdiggers," as the natives called them, who were largely responsible for the success of the project. They were, for the most part, men who had lived in enterprising, progressive sections of the country, men who were accustomed to work. From its beginning, Crowley has never been a boom town, but has shown a steady growth and progress.

The village was organized one night at a meeting of all the citizens, who elected by acclamation D. P. January as mayor and Jacob Frankel, Hiram W. Carver, J. T. Steward, and D. B. Lyons as councilmen. Of these officials Mayor January was a doctor, Lyons a contractor, and the other three kept stores.[1] In January, 1888, Crowley was incorporated.[2] It grew rapidly and the census of 1890 listed its population as 420.[3]

The new parish government was being organized at the same time. On April 12, 1887, the police jury for Acadia met for the first time at the new parish seat. One of the most important items it discussed was the erection of a parish courthouse. The site, located at the intersection of Parkerson and Hutchinson avenues (size 250 by 250 feet), plus a $5,000 cash payment had been donated to them by the Southwest Louisiana Land Company. After considering all the bids submitted, the contract for the courthouse was awarded to Theodore Schaedel at $600. It was to be a handsome frame building. The veteran

[1] *Crowley Daily Signal*, Oct. 4, 1937, City Section, pp. 3, 8.

[2] *Crowley Signal*, April, 1898, p. 13. This is a special advertising edition of the *Signal*. The first page of this issue was missing so that the exact date could not be determined.

[3] *Twelfth Census of the United States*, Vol. I, Population, Part I, p. 454.

public builder, Mayor Hannon of the contracting firm of Hannon and Voss, was present and showed several of his plans for courthouses, but the police jury decided they were too expensive for so young a parish.[4]

However, on May 7, 1887, the police jury met again in special session to reconsider the courthouse plan. They annulled the contract given to Mr. Schaedel and decided to erect a brick building costing about $10,000,[5] using their $5,000 donation from the Land Company as first payment. Part of the balance had been raised by two years taxes and the rest, it was estimated, would be raised by 1890. The contract was awarded to Hannon and Voss.[6]

The new courthouse was completed in June, 1888. In size, it was about forty-two by fifty-six feet, with wings sixteen by twenty feet each extending on the east and the west. Two stories in height, it had brick walls finished with stone cement. A bell tower adorned the top. The interior was described as being extremely beautiful and the latest thing in design and pattern. On the first floor were the offices of the sheriff, tax collector, assessor, clerk, and recorder whose office contained the only fireproof vault in the building. The other room on the first floor was used by the police jury, the school board, and the grand jury. On the second floor were located the courtroom, judge's office, and jury room. The building was without modern sanitary facilities, running water or electric lights, since there were none of these conveniences in the town at that time. However, a good well had been dug and a pump provided to supply drinking water for all occasions.[7] Soon afterwards the first parish jail, a four-room building of brick and iron, thirty feet square and about twenty feet high, was constructed.[8]

One June 30, 1888, the police jury met, approved the transfer of the building from the contractor to the parish, and moved in. The officials occupying the courthouse were: E. W. Lyons, sheriff; John G. Sloan, deputy sheriff; Martin J. Andrus, tax collector; R. T. Clark, clerk of court; R. B. Lyons, assessor; and R. B. Hayes, recorder.[9]

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[4] *Daily Picayune*, April 13, 1887.
[5] *Ibid.*, May 8, 1887.
[6] *Crowley Daily Signal*, Oct. 4, 1937, Parish Section, p. 1.
[7] *Ibid.*
[8] *Ibid.*, p. 4.
[9] *Ibid.*

The growth of business in Crowley had been keeping pace with, and even outstripping, governmental growth. In 1886 there was only one store in the village—that of Jacob Frankel. Six years later there were about fifty places of business. M. B. Hillyard, staff member of the New Orleans *Times-Democrat*, compiled a business directory listing the firms in existence in Crowley in 1892, which included the professional men as well. They were classified as follows:

Dealers in General Merchandise	7
Staple and Fancy Groceries	4
Stoves and Tinware	1
Ladies Furnishing Goods	1
Fruits and Confections	2
Millinery	2
Jewelers	1
Grain Store	1
Agricultural Implements	3
Meat Markets	2
Drugstores	2
Bakery	1
Hotels	4
Physicians	5
Dentists	1
Attorneys	3
Real Estate Agents	2
Music Teachers	4
Lumber Dealers	2
Blacksmiths	3
Shoemakers	1
Ice Cream Parlors	2

In his article Hillyard added:

> Building is going on in several parts of the town—some very handsome ones especially that by a gentleman by the name of Toler. I am informed that his will be equalled if not surpassed before long. I see nobody discontented there. What some people might have considered a boom (that is, a mushroom value and transient inflation) is gone if ever had. There is nothing feverish in the spirit of appreciation of Crowley by her citizens. There is no noisy boastfulness, but you will find that people seem to take it as a matter of course that their town lots and prices of land contiguous seem high. They say it is value, not prices. Anyhow, I see nobody anxious to sell, while I have heard a number of offers refused, which, I confess, surprised me.[10]

[10] *Ibid.*, City Section, p. 20.

In December, 1897, a sale of town lots in an addition known as South Crowley took place. In about three hours over three hundred and fifty lots were sold at an average of seventy-five dollars each, totaling over $25,000. Many of these lots were purchased by Crowley people who intended to erect cottages on them. By 1898 more industries had come to Crowley, including a brick and tile factory, an opera house, an ice factory, a broom factory, and rice mills. An increase in the number of original business establishments had also occurred. Crowley was supporting a public school system as well as three or four private schools. There were six established churches with two others organized but without buildings, and seven secret societies operating in the village.[11]

Finding that Crowley, under the provisions of Act No. 136 of 1898, was eligible to become a town, the citizens applied for such a charter. On June 21, 1899, it was incorporated as a town,[12] just about a dozen years after its founding.

No discussion of the early history of Crowley would be complete without noticing the leaders who guided the village through its critical years. Mention has already been made of the Duson brothers and the part they played in founding the community. The guiding spirit of the village in those early days was W. W. Duson—the mediator in all troubles. He never missed an opportunity to develop industries in the town, and if they did not come of their own accord he helped to organize and promote them. Interested in the building of schools and churches, he donated, in many cases, the sites for their location. Actively engaged in rice farming and irrigation, he and his brother established the first rice irrigation pumping plant. He helped organize the Louisiana Irrigation and Mill Company, the Crowley Oil and Mineral Company, and many other organizations designed to help promote the town and the section.[13]

At the time he and his brother founded Crowley, C. C. Duson was sheriff of St. Landry Parish, having been first elected in 1873. In 1887 he became a state senator. He aided in the building up of the new parish and town by contacting people and urging them to go to Crowley. Many of those who came as early settlers told how they met Mr. Duson on the train, and he persuaded

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[11] *Crowley Signal*, April, 1898, pp. 13-14.

[12] *Report of the Secretary of State* (Baton Rouge, 1905), 135.

[13] *Crowley Signal*, April, 1898; *Crowley Daily Signal*, Oct. 4, 1937, City and Parish Sections, *passim*.

them to come to Crowley rather than to Lake Charles or elsewhere. He was the main instrument in having the Midland Branch of the Southern Pacific built, and he was the founder of its northern terminus, Eunice, which was named for his wife.[14]

Crowley's first merchant and one of the first settlers was Jacob Frankel. He was a native of Poland who came to America in 1878 and worked as a clerk in the store of J. Meyer and Company of Opelousas, Louisiana. Coming to Crowley in 1887, he began a merchandising business under the firm name of J. Frankel and Company. He retired from this firm in 1888, and, together with H. Carver, formed the firm of Carver and Frankel, which continued until 1891, when he bought out the interest of Mr. Carver. For many years he remained in business for himself, finally selling out to Mr. Heymann. Not only was Mr. Frankel Crowley's first merchant; he was also the town's first postmaster. He was a councilman for many years, and was at one time or another treasurer of the parish, treasurer of the parish school board, vice-president of the Crowley State Bank, vice-president of the Crowley Rice Milling Company, and president of the Crowley Building and Loan Association from the time it was founded in 1893 until his death in 1941.[15]

P. J. Chappuis has been practicing law in Crowley for more than fifty years. July, 1887, he was admitted to the bar, and in the following September he was introduced to the local court, being the second lawyer to be introduced to the court in the new Acadia Parish. Since then he has practiced law in Crowley. His only public office has been that of Mayor of the town, having served four terms—in 1894, 1896, 1902, and 1904—during which time the water works and the electric light plant were finally established. He still practices his profession in Crowley, in which he is joined by his son, Claude.[16]

Gus Fontenot came to Crowley about 1890 and worked for a time for Mr. Duson. Then he established a notarial office. He has been prominent in the affairs of the town and the parish, serving on the town council, as town clerk, and as mayor of Crowley. He has also served as a police juror, as clerk of the police jury, and was from 1904 to 1926 clerk of the court.[17]

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[14] *Crowley Daily Signal*, Oct. 4, 1937, City and Parish sections, *passim*.
[15] *Ibid.*
[16] *Ibid.*
[17] *Ibid.*

Others who aided in the early development of Crowley were: Judge J. E. Barry, who was the first lawyer to be introduced to the Acadia Court and who served as parish superintendent of education and as mayor of Crowley; John Green, councilman, secretary-treasurer of the Crowley Rice Milling Company, and member of the firm of Green and Shoemaker, a grain and feed business; T. J. Toler, lumberman, real estate agent, and councilman; E. V. Rudrow, who conducted a livestock business, a liquor business, and served as councilman; Dr. H. C. Webb, physician, druggist, and councilman; Martin J. Andrus, deputy sheriff, parish tax collector, councilman, notary public, deputy parish assessor, and for many years city clerk; A. F. Robert, hotel keeper; L. A. McKinnon, who operated a wholesale and retail liquor store; Dr. Warren G. Young, physician; Frank C. Labit, pharmacist, rice farmer and postmaster; and Hampden Story, lawyer.[18]

Crowley As A Town, 1889-1903

One of the chief things the older citizens of Crowley recall about the town is the condition of Parkerson Avenue in the early 1900's. The mudholes had become so deep that one could scarcely drive his wagon or buggy down the street without getting bogged. In order to remedy this situation the town council authorized the mayor to advertise for bids on a proposal to raise, fill in, and grade the Avenue and to construct on either side gutters made of good heart cypress. He was also to receive bids for construction of the curbing of concrete or cement.[19] Two years later, in 1902, an ordinance was passed forcing the property holders along Parkerson Avenue, from the Court Circle to the Southern Pacific Railroad, to construct sidewalks of brick, concrete, or plank on their property.[20]

During all of this time the mayor and council of Crowley had no official place to meet.[21] In 1900 the councilmen decided that the town could afford to erect a building in which the official business could be conducted. On October 17, 1900, they authorized M. T. Lewman and Company of Louisville, Kentucky, to erect a town hall and market house on the southeast corner of Parkerson and Hutchinson avenues. The market was a rather

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[18] *Ibid.*

[19] Crowley Ordinance Book I, No. 52, p. 49.

[20] *Ibid.*, No. 143, p. 189.

[21] The first public building in the town was a municipal jail which was to be built for $4,000 and completed by February 1, 1888.

unusual feature. It was to be constructed on the order of the old French Market in New Orleans, with stalls, each to be rented to the highest bidder, in which private businesses would be conducted. The building was accepted on March 13, 1901. It had cost approximately $20,000 and contained offices for the mayor, city clerk, and other city officials. On the second floor was the judge's office and an auditorium.[22]

While the town hall and market house was under construction, a movement was started for the erection of a new parish courthouse. It was argued that the building then in use and which had been built eleven years earlier was much too small for the existing needs. Some protest arose, but on November 12, 1901, the police jury unanimously voted to appropriate $75,000 from the parish general fund to be used for the erection of a new and strictly modern courthouse, to be paid for in ten years at the rate of $7,500 per year.[23] Three police jurors and four private citizens were appointed as a committee to supervise the construction of the new building. On May 20, 1902, the plans and specifications submitted by the J. Riley Gordon Company of Houston, Texas, and M. L. Stevens of Crowley were accepted. The following day the contract was awarded to T. Lovell of Denton, Texas, whose bid was $68,418.[24]

On September 14, 1903, the building was turned over to the police jury and promptly accepted as entirely satisfactory in every detail. The total cost, after the addition of some extras not in the original contract, was $72,016.95.[25] However, the new courthouse could not be put into use until 1904, since the New York concern holding the contract to furnish and install the furniture suffered a fire that destroyed their plant, and also had a strike.[26] Acadia Parish claimed that it had the finest courthouse in southwest Louisiana, and the *Signal* said it was "by far a more pretentious, elegant, and substantial edifice than one would reasonably look for in a city less than fifteen years old. Indeed, it may well be said to be a fitting monument to the magnificient spirit of the enterprise of the people of the section and the wonderful resources at their command which have made possible

[22] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 14.
[23] *Ibid.*, Parish Section, p. 1.
[24] *Ibid.*
[25] *Ibid.*
[26] *Ibid.*

the upbuilding of this parish in a manner that challenged the attention and admiration of the entire country."[27] This courthouse is still in use today.

Crowley has always been interested in the health of its citizens, and a Town Board of Health was early established. In 1900 several cases of smallpox appeared in town, causing the council to purchase a house to be used for the confinement of patients with that or any other contagious disease.[28] They also purchased five hundred vaccines which were to be used to inoculate all persons not already so protected, and the small charge of only twenty-five cents per person was made for vaccination.[29]

During this period the town of Crowley was growing very rapidly. The census of 1900 had credited it with a population of 4,214,[30] an increase of 3,794 for the preceding decade, or about 380 per year. The number of business establishments had also increased along with the growth of population. The following figures give a good idea of this growth:[31]

Year	No. of Incorporations
1887	2
1889	1
1890	2
1892	2
1893	4
1896	3
1897	4
1898	6
1899	10
1900	12
1901	20
1902	31
1903	12

[27] *Crowley Signal*, Jan. 30, 1904, p. 17.

[28] Crowley Municipal Minutes, III, 99. Owing to the lack of uniformity in the titles of the municipal minute books of Crowley, the writer will cite them in the following fashion:

(1) Record—Town of Crowley, May 14, 1900-Aug. 4, 1903, hereinafter cited as "Crowley Municipal Minutes, III."

(2) Municipal Minutes—No. 4—Town of Crowley, Sept. 1, 1903—April 16, 1908, hereinafter cited as "Crowley Municipal Minutes, IV."

(3) No. 5, June 13, 1908-March 27, 1912; July 1, 1919-Sept. 2, 1919, hereinafter cited as "Crowley Municipal Minutes, V."

(4) Minute Book—No. 6—City of Crowley, April 1912—June 17, 1919, hereinafter cited as "Crowley Municipal Minutes, VI."

(5) Record, Sept. 9, 1919-Nov. 2, 1920, hereinafter cited as "Crowley Municipal Minutes, VII."

(6) Nov. 9, 1920—, hereinafter cited as "Crowley Municipal Minutes, VIII."

[29] Crowley Municipal Minutes, III, 127.

[30] *Twelfth Census of the United States*, Vol. 1, Population, Part I, p. 454.

[31] Acadia Parish Miscellaneous Books, I, II, III, *passim*.

The increase in the number of incorporations between 1893 and 1898 can partially be explained by the growth of rice mills and rice irrigation companies. Out of the total of seventeen incorporations during those years, five were canal companies and five were rice mills. Then, in 1901, oil was discovered in the parish and ten of the twenty corporations chartered in that year were oil and mineral companies. The other new business enterprises reveal the steady growth of the city, as they were firms dealing in furniture, lumber, iron work, drugs, real estate, printing, insurance, and various other mercantile pursuits.

In 1902 the city council enlarged the boundaries of the town and defined them as follows:

> Commencing at the courthouse of the parish of Acadia, in the northwest quarter of Section Four (4) in Township Ten (10) south of Range one east, La. Merd., said courthouse being situated at the intersection of Parkerson and Hutchinson Avenues of the said town as per the plat thereof on file in the office of the clerk of the court in and for the parish of Acadia, thence running one mile in a direction approximately southwest on a line in the middle of and parallel with Hutchinson Avenue as laid out on the said plat; thence running three fourths of a mile in a direction approximately northwest on a line parallel with the center line of Parkerson Avenue; thence running one and three quarter mile in a direction approximately northwest on a line parallel with the center line of Hutchinson Avenue; thence running one and one half mile in a direction approximately southeast on a line parallel with the center line of Parkerson Avenue; thence running a direction approximately south on a line parallel with the west line of Section three (3) in Township ten (10) south of Rayne one east, La. Merd., to the middle of the channel of Bayou Blanc; thence running in a direction approximately west and following the middle of the channel of the said bayou with its meanders to a point at which the same is intersected by a line running in a direction approximately northwest, drawn one mile west of and parallel with the center line of Parkerson Avenue, and thence running on and along the last described line in a direction approximately northwest to the point approximately southwest of the courthouse and one mile therefrom on the center line of Hutchinson Avenue as hereinabove described.[32]

By 1903, the council was sure that the town had the necessary 5,000 population that would enable it to be declared a "city." Since the next United States census was not to be taken until

[32] Crowley Ordinance Book I, No. 124, pp. 170-172.

1910, the citizens of Crowley decided to take their own census of the town. This was done in the autumn of 1903, and the returns showed that the town was inhabited by over 5,000 people.[33] This information was immediately forwarded to the Governor, who certified it and on December 16, 1903, issued his proclamation classifying Crowley as a city.[34] One of the last acts of the town council was to appoint M. Abbot to a make a topographical survey of the town and to prepare maps of such survey.[35]

Crowley As A City, 1903-1940

Crowley had been established only a little over sixteen years when it was proclaimed a city. Those years had witnessed its growth from nothing but land overgrown with prairie grass to a city of over 5,000 inhabitants, a city which had become known as the "Rice City of America" because it was the center of southwest Louisiana's rice industry. Much had been accomplished during that short period, but the citizens of Crowley were not content to sit back and be satisfied with what had been done. They were interested in the continued upbuilding and improvement of their city. Soon after the Governor's proclamation was issued, the number of aldermen was increased from five to nine[36] so that the civic affairs could be better cared for.

The construction of sidewalks along Parkerson Avenue, begun in 1902, had filled a great need. However, Parkerson was not the only street that needed sidewalks, and, in November, 1904, plans were made for constructing some sidewalks on First, Second. Third, and Fourth streets.[37] Soon an extensive program of street and sidewalk improvement was under way.

In 1905, the yellow fever epidemic in New Orleans had spread to such an extent that the people of Crowley began to be alarmed. A special meeting of the city council was called on July 24,.1905, at the request of Dr. E. M. Ellis, president of the City Board of Health. He explained that New Orleans, in cooperation with the United States Marine Hospital, had established a quarantine at Avondale which was effective, and Crowley need do nothing about it yet. The council decided to accept his advice. They did request the hospital service to place inspectors on all trains out of New Orleans, if it had not already done so, and they directed the city

[33] Crowley Municipal Minutes, IV, 23.
[34] *Ibid.*, 25.
[35] *Ibid.*, 24.
[36] *Ibid.*, 25.
[37] Crowley Ordinance Book I, No. 222, p. 278.

street commissioner to add an additional force of men to his crew so that all gutters and ditches found to be in an unsanitary condition could be cleaned immediately.[38]

However, on the following day, the council met again in joint session with the City Board of Health and formulated a set of rules and regulations which were put into an ordinance. It provided for the establishment of a quarantine against New Orleans and all other points infected with yellow fever. No one was to be admitted from an infected place unless he had spent five days in a quarantine camp and had had his baggage fumigated. Each arriving passenger was required to have a health certificate, stamped by the railroad agent at his point of departure, showing non-exposure to yellow fever. Railroad officers and agents were asked to cooperate, and the police officers of the city were to see that the above regulations were strictly enforced.[39] The epidemic continued to rage, and on July 28, 1905, Dr. Ellis invited the presidents of the Acadia Parish Board of Health and of the Rayne Board of Health to meet with him and the Crowley city council so that a plan of concerted action could be agreed upon. Since a quarantine had already been established, it was only necessary to devise methods by which Acadia could prevent the disease from ever getting started in that parish. The methods adopted took the form of regulations concerning the covering of all cisterns, tanks and other water containers and the disposal of pools of standing water which were likely to breed mosquitoes.[40]

The next day, the street commissioner was authorized to divide his crew into four squads, one for each ward of the city, and continue the cleaning-up campaign. To further aid in making the city clean the Mayor designated Monday afternoon, July 31, 1905, as a half-holiday and cleaning-up day, asking all business houses to close their doors and to thoroughly clean their buildings.[41]

To secure uniformity throughout the parish in quarantine regulations, the police jury and parish Board of Health recommended that all passengers holding certificates issued by the United States Public Health and Marine Hospital Service be admitted, that freight cars from New Orleans which had been properly fumigated be allowed to enter, that health boards be

[38] Crowley Municipal Minutes, IV, 195.
[39] *Ibid.*, 196.
[40] *Ibid.*, 198.
[41] *Ibid.*, 199.

requested to report each night all cases of yellow fever and all suspicious cases to the State Board of Health, and that all parishes hire deputies and inspectors to examine certificates.[42]

During the period from August 1 to November 1, 1905, the quarantine cost the parish over $900,[43] but no cases of yellow fever occurred. By December the epidemic was over. The council expressed its appreciation to all who aided in the campaign against the disease and thanked the Crowley Oil and Mineral Company for its donation of oil, the Union Sulphur Company for its donation of five tons of sulphur, and the Southern Pacific Railroad Company for its cooperation with the city authorities in enforcing the quarantine regulations.[44]

In November, 1905, the council required all employees of the city's electric light and power plant to take out employees insurance.[45] Also in that same month the police jury assessed a five-mill property tax on the towns of the parish and a ten-mill tax on the rest of the property. The tax money was to be used to pay all expenses of the parish. Mr. Lomand, state and parish assessor, found that the police jury had money lying idle in the bank and that the assessment for that year would bring in more than the budget called for. He therefore recommended that taxes be reduced. The finance committee of the police jury decided that Mr. Lomand's information was incorrect and that taxes should remain as assessed. Then six hundred and forty-one citizens and taxpayers presented a petition to the police jury approving Mr. Lomand's statement and asking that taxes be reduced to eight and four mills, respectively, as he had suggested. A committee was appointed to investigate the situation; and, after the committee made its report, taxes were reduced to nine and four mills.[46]

The city clerk was given charge of the water works and electric light plant in 1909, with full power to employ or discharge employees and to make collections due the city.[47] This work remained a part of the clerk's duties until 1927, when the city's plant was purchased by the Gulf Public Service Company.

By 1909 the sidewalks of the city were being paved with concrete and much progress had been made. A uniform system

[42] Acadia Parish Police Jury Proceedings, Book I, p. 168.
[43] Crowley Municipal Minutes, IV, 225.
[44] *Ibid.*, 184.
[45] *Ibid.*, 219.
[46] Acadia Parish Poilce Jury Proceedings, Book I, pp. 187, 246, 258, 278.
[47] Crowley Municipal Minutes, V, 94.

of grades had been established throughout the city, with roadways thirty-two feet wide and banquettes fourteen feet wide on each side. On the avenues the roadways were to be forty feet wide and the banquettes twenty feet.[48] At the same time that the sidewalk paving was being carried out, the citizens decided that Parkerson Avenue should be paved. The subject was discussed at length in a council meeting after presentation of a petition by property holders asking for the paving of the avenue. The decision was in favor of the project, $17,400 was appropriated for the purpose, and a committee was appointed to visit various cities and report on the best type of paving material. While the committee was gathering its information the city council made it obligatory on all property holders along Parkerson Avenue from Mill Street to Court Circle to connect with the city sewerage and water mains before July 15, 1912, and required that they replace old pipes with lead or other permanent pipes before that date.[49] On April 22, 1912, the committee made its report. They had visited New Orleans, Houston, Galveston and Memphis and decided that creosoted wood blocks were best, with vitrified paving brick as second choice. The citizens present at the meeting voted and stood twelve to nine in favor of bricks.[50] On April 26, the council met in special session to reconsider the choice of paving material to be used, and their decision was to use creosoted wood blocks.[51] The work was then begun. In the autumn of 1912, all the old wooden sidewalks were condemned and ordered removed within thirty days.[52] By January, 1913, Parkerson Avenue had been paved, the work was accepted by the city, and sidewalks were built across the neutral grounds.[53] The council next turned its attention to the other streets and began surfacing them with gravel or shells. By the end of 1920 many of the main streets and avenues had been graveled.

In 1912, while the construction of concrete sidewalks was getting under way, the city council passed an ordinance requiring all property holders to prevent the overgrowth of grass or weeds upon sidewalks or banquettes. Dr. Cross, president of the city Board of Health, suggested that property holders be also compelled to purchase garbage cans.[54] At the next meeting the

[48] *Ibid.*, 132.
[49] *Ibid.*, VI, 5.
[50] *Ibid.*, 8.
[51] *Ibid.*, 11.
[52] Crowley Ordinance Book II, No. 397, p. 53.
[53] *Ibid.*, p. 81.
[54] *Ibid.*, p. 29.

council incorporated his suggestion into an ordinance with the provision that the garbage cans must be bought and used.[55] Later, in 1917, a city garbage collecter was employed at a salary of $65 per month.[56]

Five years later the first ordinance was passed regulating the sale of milk and other dairy products and prescribing the rules for the use of utensils, vehicles, etc., that were employed in handling such products in Crowley.[57]

By 1923 the wood blocks with which Parkerson Avenue had been paved became so unsatisfactory that it was necessary to consider repaving the Avenue. Some of the older citizens remember that when it would rain the blocks would become loose and float off, leaving holes in the street. Of the $200,000 bond issue voted in 1923, $80,000 was to be used for resurfacing and providing subsurface drainage of Parkerson Avenue and for surfacing and repairing other streets in Crowley.[58] Work was soon begun on paving the avenue and other streets with concrete. So proud were the citizens of the new work that special provisions were made to protect it. No vehicles with sharp-edged tires, no vehicles hauling grain, coal, or gravel, unless tightly sealed, were allowed on the pavement. People were not to sweep their trash onto it and no oil leakage was allowed.[59]

The work of surfacing Crowley's streets with gravel and shells was pushed forward rapidly with the money from the 1923 bond issue. When those funds were exhausted an election was held to determine whether the property taxpayers would vote a ten-mill tax for ten years to continue the paving work and to construct bridges and crossings over the drains and streets.[60] The election was held on April 15, 1930, and the issue failed to pass. However, in October of the same year, a two-and-one-half-mill-tax for ten years for the same purpose was voted,[61] and work on improving the streets continued until nearly all of them were graveled. This work had scarcely been completed when the city officials discovered that, by using the aid offered by the newly created Federal Works Progress Administration, they could have paved streets at a much lower price than they would ordinarily

[55] *Ibid.*, p. 31.
[56] *Ibid.*, p. 239.
[57] *Ibid.*, Book III, No. 483, p. 125.
[58] *Ibid.*, No. 496, p. 143.
[59] *Ibid.*, No. 510, p. 178.
[60] Crowley Municipal Minutes, VIII, 320.
[61] *Ibid.*, 346.

have to pay. Quick to take advantage of a good business deal, they urged property owners to petition for W.P.A. paving. This was done, and by 1937 over $150,000 had been spent on the paving of Crowley's streets, with more than half the amount being paid by the property owners. In addition, they agreed to pay for the paving of the strip on each side of the center pavement and for the installation of curbs, gutters, and a system of storm sewers.[62] Ten miles of concrete and asphalt pavement had been completed by 1937, and another mile was finished by 1940.

By 1930, the old city hall was so badly in need of repairs that the question arose as to whether it would be best to repair the old building or to erect a new one. A special election was called to determine whether the people would authorize the city to sell its surplus bonds in an amount not to exceed $50,000 to build a new city hall. The election was held on December 22, 1930, and the proposition carried.[63] Bids for a site for the proposed new city hall were read the following week; and the one submitted by J. A. Gremillion, consisting of lots four, five, six, and part of seven in block sixty-three, with an additional fifteen feet of the adjoining lot, was accepted. The price for this site, measuring one hundred and twenty-five by one hundred and fifty feet, cost the city $5,950.[64] Curtis McDaniel was employed to supervise the construction of a city hall on a two percent commission basis, and W. T. Nolan was employed to prepare plans and specifications on a four percent commission basis.[65] The new building, costing a total of $80,000, was completed in 1931 and is one of the city's most beautiful structures. It contains the offices of the mayor, city clerk, marshall of the city and the sixth ward, judge of the city and the sixth ward, the city jail, the library, the office of the Association of Commerce, and the city court and council chamber. On the second floor is located the city auditorium which runs the entire length of the building and in which many entertainments are staged every year.[66]

The parish courthouse which had been in use since 1903 also needed repairing, due to the sinking of the foundation which had caused cracks to appear in the walls. The butane gas explosion of October, 1936, was also believed to have done some damage to the structure. In addition to the repair work done on the

[62] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 13.
[63] Crowley Municipal Minutes, VIII, 363.
[64] *Ibid.*
[65] *Ibid.*, 358.
[66] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 14.

building, two eight-foot additions were made to the center section of the courthouse.[67]

An agricultural building to house the county agent's office, the welfare office, and the home demonstration agent's office was badly needed by the parish. These offices were housed in the courthouse and were crowded for room. When it was discovered that federal aid for a building could be secured if the police jury would sponsor the project, the police jury agreed to do so if the parish school board would furnish a part of the sponsor's contribution. Plans discussed for the proposed building called for a structure costing $13,354.35, which would be used to house the parish public library in addition to the offices listed above and to provide auditorium space for meetings for agricultural and educational purposes in connection with the agricultural and home economics extenson work in the parish.[68]

Delay after delay ensued in the matter of procuring federal aid on the project, until, in 1939, the police jury appropriated $12,000 out of the general fund to finance the cost of the Agricultural Building for the parish of Acadia. The building was to be located on the courthouse grounds in Crowley and was to be built according to plans submitted by the firm of James McDaniel and Son of Crowley.[69] It was constructed on the courthouse grounds near the parish jail and is now in use.

The city was zoned in 1925, with residential, commercial, and industrial districts being designated.[70] In 1939 it became necessary to re-zone certain sections and to enlarge the residential districts.[71] A little later the boundaries of the city were enlarged to comprise all the land included in the extension of the north corporation line between Parkerson Avenue and Avenue I, "commencing at a point on the west line of North Parkerson Avenue at the present north line of the corporation of Crowley and runing thence North 25° 45′, west along the west line of Parkerson Avenue a distance of 412.4′; thence South 20° 45′ East along said line a distance of 512.0′ to present corporation line; then 264° 15′ West along said line to place of beginning" and containing an area of 14.51 acres of land.[72]

The city officials continued their efforts to make the community more healthful. In 1939 they began requiring all persons

[67] *Ibid.*, p. 2.
[68] Acadia Parish Police Jury Proceedings, Book VI, p. 262.
[69] *Ibid.*, p. 386.
[70] Crowley Ordinance Book III, No. 518, p. 188.
[71] Crowley Municipal Minutes, VIII, 631.
[72] *Ibid.*, 632.

working in any place where food or drinks are served to the public to have health certificates showing Wasserman Blood Test, Tuberculin Test, and Feces Test, giving evidence that they are free of communicable diseases.[73]

As a result of the flood which occurred in August, 1940, the city officials became greatly interested in improving the drainage system of Crowley and the surrounding territory. A movement was started to procure federal aid in clearing out all canals in the marsh lands and do all else that might be necessary to prevent the possibility of a recurrence of the catastrophe.

A mild epidemic of influenza occurred in Crowley in December of 1940. It had increased to such an extent by December 12 that the city board of health ordered all schools, theatres, and churches closed to prevent the spread of the disease. All public meetings were also prohibited.[74] However, by December 20 the epidemic was subsiding and the closed places were allowed to reopen.[75]

Business in Crowley has kept pace with the growth of the city. A census of the places of business in 1937 disclosed the following establishments located in Crowley:

Drugstores	4
Groceries (not including the many suburban stores)	10
Men's stores	3
Department stores	2
Five-an-ten-cent stores	1
Ladies' ready-to-wear stores	6
Dry goods stores	4
Hardware stores	3
Farm machinery branch houses or privately owned concerns	6
Rice mills	10
Warehouses	14
Railroads	3
Bus lines	2
Restaurants	10
Hotels	5
Laundry	1
Automobile dealers	6
Service stations	26
Daily newspaper	1
Weekly newspaper	1
Job printing shops	2

[73] *Ibid.*, 636.
[74] *Crowley Daily Signal*, Dec. 13, 1940.
[75] *Ibid.*, Dec. 19, 1940.

Theatres	2
Lumberyards	4
Feed stores	2
Bulk oil stations	10
Wholesale grocery	1
Meat markets	8
Banks	2
Building and Loan Association	1
Hospital	1
Ice cream manufacturing plant	1
Photographers	2
Wallpaper and paint shops	2
Jewelry stores	3
Gas and electric shops	3
Gas company	1
Electric company	1
Telephone company	1
Insurance firms	5
Telegraph offices	2
Cotton gin	1
Machine shops	5
Blacksmith shops	4
Bakeries	2
Ice company	1
Schools	5
Churches	11
Radio shops	4
Dealers in electric refrigerators	6
Furniture stores	3
Newsstands and shoeshine parlors	1
Dealer in antique furniture	1
Dealer in second-hand furniture	1
Stationery and office supplies	1
Cabinet maker	1
Cleaning and pressing shops	5
Coffee roasters and wholesalers	3
Dairies	6
Florists	2
Nurseries	2
Real estate dealers	3
Shoe repair shops	2
Tinners	2
Saloons	5
Package liquor stores	2
Sign painters' shops	2

In addition to the above there were numerous automobile repair shops, several wholesale beer distributors, many local insurance agents, and a score of smaller business establishments.[76]

[76] *Ibid.*, Oct. 4, 1937, City Section, p. 7.

By 1940 several more businesses had been established in Crowley—Spofford Gas Company; Ensign Auto Supply Company; a branch of the American Department Store; Rice Café; Bruce Theater; Continental Oil Station; a hardware store; a paint and wallpaper store; and Brandt's Jewelry Store. In addition to these new businesses, several of the old establishments were enlarged, remodeled, improved, or modernized. Morgan and Lindsay expanded and modernized their store; Culpepper's Jewelry Store was remodeled and modernized; Rollison's Stationery and Office Supply Store moved to a new and larger location; Heymann's Department Store constructed a modern air-conditioned building which was ready for occupancy by 1941; and the Southern Amusement Company constructed a $100,000 movie theater to be known as the Rice Theater.[77]

There continued to be a housing shortage in Crowley, in spite of the fact that fifty-nine residential building permits were issued in 1936 and fifty-one in 1937. The total cost of the buildings for which permits were issued for the period from 1933 to 1940, is as follows:[78]

1933	$24,397.80
1934	$60,057.00
1935	$102,107.00
1936	$119,475.50
1937	$358,628.95
1938	$222,441.00
1939	$213,244.00
1940	$190,117.91

The number of incorporations for the years 1904 to 1940, by five-year periods, is as follows:[79]

1904-1908	47
1909-1913	30
1914-1918	31
1919-1923	41
1924-1928	32
1929-1933	44
1934-1938	35
1939	8
1940	3
Total	371

[77] *Ibid.*, 1940, *passim.*

[78] Interview with D. P. Healy, Crowley City Inspector, June 28, 1941.

[79] Acadia Parish Miscellaneous Books II, III, *passim;* Acadia Parish Charter Books, Nos. 1, 2, *passim.*

Crowley is today on a current basis with its bills; but this has not always been so. The city incurred its largest indebtedness when the electric light and water works plant was installed, but it has always been ready to spend what money it had available for the improvement of the municipality. Finances had gotten into such a bad condition by 1920 that a city manager was employed to straighten them out. The manager remained on the job for only two years, but during that period he placed the city's finances on the road to recovery. Then, in 1927, the power plant was sold, and the city had to pay all its running expenses from the revenues derived from taxes. The street improvement program that was being carried out required a great deal of money and for a time the city revenues were smaller than the expenditures. By 1934 the city was about $30,000 in debt, its bonds were defaulted, and its credit was very bad. Noble M. Chambers was appointed to succeed the late Mayor Smith, and he devoted his energies toward improving the city's financial standing. He is credited with having unusual knowledge and ability in financial matters, and he used these talents in devising means of paying the city's bills, in paying off the outstanding bonds, and in putting the city finances on a current basis. After Chambers had served one term, J. Matt Buatt was elected mayor, Chambers having refused to continue in the office. Mayor Buatt continued the work of financial rehabilitation, and by 1941 the city finances were on a sound basis.[80] The city assessment rate for 1940 was seventeen and one-fourth mills. Of this total, seven mills was corporation tax; two and one-half mills maintenance tax; five mills bond tax; and three mills sewer extension tax. In 1941 the property valuation of the city of Crowley was $4,257,000.[81]

CHAPTER III

PUBLIC UTILITIES

Water Works and Electric Lights

By 1890, three years after its founding, the new town of Crowley had a population of over 400. It was modern in many respects, but oil lamps and candles were still being used for lighting purposes and the town was without any sort of public water supply. The *Signal* devoted many editorials to this subject, even pointing out in 1893 that "Crowley was the only city between Lake Charles and New Orleans" without an electric light and

[80] *Crowley Daily Signal*, Oct. 4, 1937, City Section, pp. 5, 34.
[81] Interview with I. B. Broussard, Crowley City Clerk, June 28, 1941.

water works plant. It strongly advocated such a plant and argued that if "we can't have a water plant for the entire city, let's at least have one for Parkerson Avenue, where now, if a fire caught, assisted by a high wind, Crowley would be in shambles." Finally, in the autumn of 1893, an election was called to decide whether the town would vote a five-mill tax to erect such a plant. The election was held in August and the issue carried.[1] But further delay ensued. The city of Lafayette had in the state courts a test case involving bonds issued against a special tax devoted to municipal improvements. This case dragged on in the courts for almost five years before the Louisiana Supreme Court finally approved such bonds.[2]

Crowley naturally waited until the Lafayette case was decided before it issued bonds for the construction of its power plant. However, in July, 1897, the town council did accept the plans and specifications prepared for such a plant by O. H. Landreth.[3] Actual construction work was begun in February, 1898, and the contractors, Consolidated Engineering Company of New Orleans, expected to be able to turn the plant over to the town in working order not later than June 1 of that year.[4] The first plant was housed in a brick building located on Avenue H, in block 6. Later a frame building was added to the south end of the original structure to provide more space.[5] In 1900 the water main was extended to include the Star Rice Mill,[6] and later to the Marks Rice Milling Company plant.[7]

By 1906 the city had grown to such a degree that a further extension of the water works system was necessary. In a special election held that year the citizens voted in favor of a $100,000 bond issue which was to provide, among other things, an extension of the city water works.[8] In December, 1906, permission was granted to the Nutrilene Feed and Oil Company to extend the city's water main to its property, with the city to pay the cost of construction.[9]

The first building which housed the plant remained in use until September 18, 1909, when an explosion in the furnace oc-

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[1] *Crowley Daily Signal*, Oct. 4, 1937, *Signal* Section, p. 5.
[2] *Ibid.*
[3] Crowley Ordinance Book I, No. 29, p. 19.
[4] *Crowley Signal*, April 1898, p. 14.
[5] Interview with D. P. Healy, Crowley City Inspector, Oct. 2, 1940.
[6] Crowley Ordinance Book I, No. 43, p. 38.
[7] *Ibid.*, No. 47, p. 44.
[8] *Ibid.*, Book II, No. 289, p. 101.
[9] *Ibid.*, No. 294, p. 372.

curred and resulted in the complete destruction of the works.[10] The city council met in special session on September 20 to see what was to be done about rebuilding and re-equipping the power plant. The representative of the Westinghouse Electric and Manufacturing Company, a Mr. Sylvan, said unofficially that he would ask his firm to loan the city a secondhand dynamo provided the city would pay the freight both ways. If the city bought a new dynamo from Westinghouse, no charge would be made for the use of the secondhand one. The council accepted the proposition. However, since a recent storm had resulted in wires being down and the mails being cut off, Mr. Sylvan could not get in touch with his company. The council decided that something must be done immediately, and W. E. Scott, one of the councilmen, was appointed to go to New Orleans to interview different electrical companies to learn what they were willing to do in reference to affording temporary relief in the way of dynamos and other needed machinery. They also voted ten dollars to build a shed over the engines at the pumping plant. On September 24, 1909, Scott made his report, and a committee consisting of Scott, Marks, and Lackey was appointed to act for the council.[11]

An engine was borrowed and put into use, and a contract was let for a well and pit. Then, in July, 1910, the committee made its final report, which recommended the immediate purchase of a 250-horsepower boiler, the sale of one of the old boilers for junk, and the repainting and sale of the other.[12] This report was accepted by the council and carried into effect.

In December, 1910, the council passed a resolution to the effect that since the plant could be operated at a reduced daily expenditure by the addition of a 110-horsepower engine and a 75-kilowatt generator with which to operate the reduced load occurring after eleven o'clock at night; since the plant needed a new 150-kilowatt generator with which to carry the heavy load up to eleven o'clock at night; and since it was badly in need of a new water heater, the city would purchase on the best terms all the abovementioned machinery and have it installed by April 1, 1911.[13]

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[10] Interview with D. P. Healy, Crowley City Inspector, Oct. 2, 1940.
[11] Crowley Municipal Minutes, V, 89-91.
[12] *Ibid.*, 108, 127.
[13] *Ibid.*, 204.

Reduced rates of one-half the usual rate were granted by the city in 1911 to all parsonages, convents, churches, and ministers of the Gospel when in active performance of their professional calling.[14]

A petition presented by forty-nine property owners in Duson's Third Addition (principally a colored section) in West Crowley, asking that street lights be placed on alternate corners and pledging themselves to pay two dollars apiece for such lights, resulted in the council voting to expend $500 to extend the street lighting system, $150 of which was to be spent in Duson's Addition and the balance to install street lights on the east side of Western Avenue.[15]

The "reconstruction, enlargement, repair, and improvement" of the electric light and water works plant was paid for by the sale of a bond issue in 1916.[16] In the same year a new well and reservoir were constructed.[17] The improved system served until 1919, when a new residential section of the city near the High School was opened. The council then authorized P. L. Lawrence to construct a water works system in the new addition, to connect it with the city system, and to sell it within the year to the city for not more than $23,000, provided that within that period at least ten dwellings should be erected in the new section.[18]

Further extensions of the system were made possible by the bond election of 1923, in which $115,000 was voted to improve and extend the water supply and fire systems of the city.[19] A few years later an additional $65,000 was appropriated for the same purposes.[20]

There had been some talk of the city selling its power plant to a private concern, and in April, 1926, the mayor and aldermen decided to accept the proposition of the Louisiana Electric Company to furnish the city with electrical power.[21] However, this deal did not go through, and in the following month the council voted to entertain propositions for selling the city plant. The Gulf Public Service Company apparently made the best offer, for on May 3, 1927, a special election was held to determine whether

[14] *Ibid.*, 258.
[15] *Ibid.*, 362, 377.
[16] Crowley Ordinance Book III, No. 433, p. 24.
[17] Crowley Municipal Minutes, V. 215.
[18] Crowley Ordinance Book III, No. 456½, p. 72.
[19] *Ibid.*, No. 496, p. 143. All citizens using city water and electric current had been required, since 1920, to install meters.
[20] *Ibid.*, No. 539, p. 232.
[21] The city had granted this company a franchise in 1925 to transmit electrical energy in Crowley.

the city should sell its plant to that company for $465,000. The election carried,[22] and on June 14, 1927, the transfer was made.[23] Since that time the city has had no connection with the power service, except that in 1930 the council created the office of Electrical Inspector for the purpose of inspecting the installation and maintenance of all electric wiring, devices, and materials.[24]

Since the Gulf Public Service Company has been in charge, it has increased the horsepower of the plant from 685 to 2,315 and its kilowatts to 1,670. It purchases its current from the Gulf States Utilities Company, but maintains the local plant for emergencies. The company now has about 1,800 light and power customers and about 1,350 water users. Both water mains and electric lines have been extended steadily since the company took control. Its estimated investment at the present time is about $300,000.[25]

Fire Department

The Crowley fire department was not organized until 1898, eleven years after the village was established. The establishment of a fire department was one of the improvements advocated by the *Signal*. In 1892 it printed a story of a fire, with the following heading: "Fire Warning No. 1—so and so's home burned."[26] There was not even a bucket brigade in the village. Since Crowley was nothing but a double row of frame cottages from the depot to the courthouse, the residents lived in constant fear that fire might strike and, with a high wind, wipe the town off the map.[27] Later in 1892 fire warning No. 2 appeared. The citizens became somewhat aroused this time but did nothing but call meetings "to effect a permanent organization;" and then the agitation ceased for the time being.[28]

A mass meeting was held in the courthouse in 1898, which resulted in the organization of Hose Company No. 1, on July 12 and 13.[29] A constitution and by-laws were adopted and officers elected. Membership dues were to be collected and fines assessed for failure to attend meetings. Funds for financing the organization were to be raised through suppers and evening entertain-

[22] Crowley Municipal Minutes, V, 243.
[23] *Ibid.*, 247.
[24] *Ibid.*, 347.
[25] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 16.
[26] *Ibid.*, *Signal* Section, p. 5.
[27] *Ibid.*
[28] *Ibid.*
[29] *Ibid.*, Jan. 30, 1904, p. 5.

ments.[30] A few months later a fire truck was purchased and a truck company organized. Immediately afterwards two hose companies were formed, each provided by the town council with a hose cart and seven hundred and fifty feet of hose.[31] On October 4, 1898, the town council passed an ordinance recognizing Hose Companies No. 1 and No. 2 and the Crowley Hook and Ladder Company as the fire department of Crowley.[32]

In 1901 another ordinance fixed the fire limits and regulated the erection of buildings within those limits.[33] In that same year the first big fire occurred. The Eagle Mill burned and was a total loss in spite of "heroic efforts of the firemen, who were handicapped in several ways."[34] Two years later the Abbott Warehouse caught fire. The building was destroyed, but the firemen were able to check the fire which was "so hot that it was fully expected by the onlookers that half of Crowley was doomed to destruction."[35]

In March, 1903, the department was reorganized and incorporated under the name of the "Firemen's Association of Crowley,"[36] with John A. McAyeal again becoming president.[37] Prior to this date the department had been forced to use livery horses to pull their equipment. This proved so unsatisfactory that the firemen decided to buy a team of horses and ask the city council for permission to keep them in the enginehouse. In October, 1905, the council gave its consent.[38] Soon afterwards a driver was employed at a salary of $50 per month and a team of horses was purchased from Lackey and Devall for $500.[39] In the following year arrangements were made for the use of the powerhouse whistle for fire alarms. This arrangement continued until 1923, when the present system was instituted. The Crowley Firemen's Association joined the State Fire Association in 1906.[40]

For some time the fire department had been desirous of erecting a building of its own in which to house its equipment. A lot had been purchased in 1906, but the building was not erected until 1913, when the city had it built in payment of a

[30] *Ibid.*, Oct. 4, 1937, City Section, p. 5.
[31] *Ibid.*, Jan. 30, 1904, p. 25.
[32] Crowley Ordinance Book I, No. 38, p. 73.
[33] *Ibid.*, No. 73, p. 100.
[34] *Crowely Daily Signal*, Jan. 30, 1904, p. 25.
[35] *Ibid.*
[36] *Ibid.*
[37] *Ibid.*, Oct. 4, 1937, City Section, p. 33.
[38] *Ibid.*
[39] Crowley Municipal Minutes, IV, 214.
[40] *Ibid.*, 33, 37.

debt of $1,000 which it owed to the fire department. This building was later remodeled and is still in use, though it has been refitted from time to time as new equipment and facilities were provided and installed.[41] Old Rock and Riley, the two old fire horses, were well known to nearly all the older citizens of Crowley, for it was not until 1916 that an automobile fire truck was purchased for the department.[42]

In 1920 the city council passed another and even stricter ordinance to help prevent fires. It established additional fire limits and regulated the construction of buildings within them; required building permits; regulated the erection of flues, chimneys, and smokepipes; and fixed definite requirements for all electrical installation.[43] Greater efficiency in fighting fires was made possible by regular training of all members, and by the addition of a pumper to the fire department's equipment in 1921.

After the installation of J. M. Buatt as mayor in 1934, the city assumed all operating expenses of the fire department. It pays all salaries of the employees, maintains the fire-fighting equipment in repair, and provides one-half of the service fees of the volunteers who attend the fires.[44]

J. M. Miles was appointed chief of the Crowley fire department in 1910 and still holds that position. During his administration Crowley has been host to the State Fire Department three times, the last meeing held in Crowley being in 1935. An intensive fire prevention program is carried out annually under the direction of Chief Miles. He and his speakers visit the schools and hold programs, inspect many buildings, stage parades of fire equipment showing safety and inflammable materials, and in 1940 they persuaded the theaters to run a special show on fire prevention, "The Last Alarm."[45] In December, 1939, the *Signal* stated that Crowley had again won first honors in the state, for the third consecutive year, for its fire prevention program.[46]

Sewerage

However modern Crowley may have been in most respects in 1906, nineteen years after its founding, it was sadly lacking in one of the important characteristics of modern cities—it had no sewerage system. Three years after the municipality was in-

[41] *Ibid.*
[42] *Ibid.*, VI, 220.
[43] *Ibid.*, VII., 151.
[44] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 37.
[45] *Ibid.*, Nov. 9, 1940.
[46] *Ibid.*, Dec. 30, 1939.

corporated as a city, a bond issued for $100,000 was voted. Among the purposes for which the fund was to be used was the allotment of a certain sum for the construction of a sewerage system.[47] Crowley also needed a better drainage system. A petition signed by eighty-six citizens and taxpayers was presented to the parish police jury, asking that a drainage district, to be known as the "Crowley Drainage District," be created for the purpose of draining the city and the adjacent lands. The police jury adopted an ordinance for carrying into effect the prayer of the petitioners, in December, 1906; but they rescinded their action in January, 1907.[48] Crowley was thus forced to continue with its own drainage system, and as a first step toward improving it the street commissioner was ordered to keep the city drainage ditch clean from Western Avenue to the Bayou.[49]

In 1908, after the city sewerage system was completed, the city passed an ordinance requiring "all cesspools, public bath tubs, public urinals, and all kitchen sinks operated by hotels, boarding houses and restaurants in the city" to connect with the system. They could no longer be drained into open ditches in the city.[50] This regulation did not apply to private homes until 1913, when the council forced property owners of certain premises to connect with the public sewerage system.[51]

Meantime the city was continuing its fight for better drainage, and in 1909 the police jury was persuaded to create the Sixth Ward Drainage District No. 1, which included Crowley.[52] The district was recreated in 1910 and named the Sixth Ward and Crowley Drainage District. Its limits were fixed and commissioners were provided.[53] After being reorganized in 1914[54] under the provisions of Act 317 of the General Assembly, it has continued in that form to the present time.

The opening of the new residential section near the High School in 1919 made it necessary to extend the sewerage system there. P. L. Lawrence did the construction work and then sold it to the city.[55] The next extension was provided for in the bond issue of 1923. It included the expenditure of $5,000 to improve,

[47] Crowley Ordinance Book II, No. 289, p. 101.
[48] Acadia Parish Police Jury Proceedings, Book I, pp. 165, 375.
[49] Crowley Municipal Minutes, IV, 399.
[50] *Ibid.*, 482.
[51] *Ibid.*, VI, 87.
[52] Acadia Parish Police Jury Proceedings, Book II, p. 64.
[53] *Ibid.*, p. 196.
[54] *Ibid.*, Book III, p. 213.
[55] Crowley Ordinance Book III, No. 466½, p. 72.

extend, and repair the sanitary sewer of the city.[56] This served until the city felt the need for a sewerage disposal plant in addition to further extensions of the sewer. By December, 1937, the plans prepared by R. J. Voorhies, special sewerage engineer, and Paul Letz, city engineer, were complete. A complete sewerage system was provided, including a disposal plant, extension of the existing lines, and additional main lines to care for the city's present need and future growth. The total cost was estimated at about $200,000, but the system could be installed by sections if the city so desired.[57] The election to determine whether the citizens would authorize a bond issue to cover the cost of construction of such a sewerage system was held on September 13, 1938, and the issue carried.[58] This would take care of the city's share of the expenditure. Then the Federal Works Projects Administration agreed to pay forty-five percent of the cost of the project, if it did not exceed $152,481.[59] In July, 1939, the completed plant was accepted by the city.

Telegraph and Telephones

A telegraph office was opened in Crowley at noon of the first day of the sale of lots in the new village, February 11, 1887, with Wallace C. Mills of Lafayette in charge.[60] This remained the only one in the municipality until 1898, when the town council granted a franchise to the Postal Telegraph Cable Company of Texas, authorizing it to set up its service in Crowley.[61] There has been a Postal Telegraph station in Crowley at various times since that date, but not continuously. A branch of Western Union has also been located there for many years.

The first telephones in Crowley were installed in 1896[62] by A. B. Pickett, who had been granted the franchise for the establishment of the system.[63] The Pickett Line was soon afterwards purchased by a group of three men. A fourth member was added to the group by his purchase of a one-third interest in the Crowley Telephone Exchange and a similar interest in the line to the town of Gueydan, all for $2,500.[64] The company was later

[56] *Ibid.*, No. 500, p. 155.
[57] *Crowley Daily Signal*, Dec. 16, 1937.
[58] Crowley Municipal Minutes, VIII, 605.
[59] *Ibid.*, 612.
[60] *Daily Picayune*, Feb. 11, 1887.
[61] Crowley Ordinance Book I, No. 34, p. 66.
[62] The Teche and Vermilion Telephone Company had also been granted a franchise but did not use it.
[63] Crowley Ordinance Book I, No. 24, p. 53.
[64] Acadia Parish Miscellaneous Book I, p. 206.

taken over by the Cumberland system, and in 1900 it became the property of the Southern Bell Telephone Company.[65]

The telephone exchange which had been housed in a frame building on Parkerson Avenue until the structure was destroyed by fire, was moved to the rooms over the post office in the Duson Building in the early 1900's. When the post office moved into its new home in 1913, the telephone company rented all the Duson Building, using the lower half for the storage of trucks and equipment and the upper half for the switchboard rooms and offices.[66]

The system then in existence was the old crank system, which was proving rather unsatisfactory. The fight to enforce the company to install a modern flash system began, led by the Crowley Association of Commerce. At one time a petition was submitted calling for an increase in rates so that the company could install the flash system. This agreement was later blocked and the fight continued. In the early 1930's Dudley LeBlanc, public service commissioner, ordered the telephone company to install the new system at the prevailing rates, but the company went to court and halted this procedure.[67] Eventually the franchise granted to the telephone company expired, and the city council passed an ordinance ordering the company to remove its poles from the streets of Crowley. A compromise was finally reached whereby the flash system was to be installed by 1935 with the existing rates continuing, but if the company should be able to secure an increase in rates through hearings they were permitted to do so.[68]

In order to prevent any interruption in the telephone service, the new building which was to house the new system was constructed under the frame of the old building. When it was completed, the cutover was made on November 17, 1934, and Crowley changed from the old crank system to the new flash system. Then the old frame building was removed from over the modern brick structure and the work of beautifying the grounds was begun.[69]

In 1937 the estimated investment of the telephone company in Crowley was $200,000. It had some thirty-four miles of lines in service and about 1,050 telephones in use.[70]

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[65] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 17.
[66] *Ibid.*
[67] *Ibid.*
[68] *Ibid.*
[69] *Ibid.*
[70] *Ibid.*

Post Office

In the spring of 1887 the organization of the government of the New Acadia Parish took place. Among the first things needed in the new parish seat was a post office and a postmaster. Jacob Frankel, Crowley's first merchant, was selected as postmaster. Of his appointment he said, "Nobody would have it but me." Mr. Ducros, postmaster at Rayne, came over and installed the new official.[71] The first mail sent out of Crowley was a letter to Opelousas written by the new postmaster himself. Since it was the only letter in the mail bag, and Mr. Frankel was afraid the clerks in Opelousas might miss it, he tied the letter around a block of wood before he put it into the bag. The bulk would cause the clerks to know something was there.[72]

The first post office was located in Mr. Frankel's store and consisted of a few pigeonholes made of rough lumber, in which he placed the letters. Later it became necessary to construct a second group of pigeonholes for the newspapers. Sometime afterward he bought modern post-office fixtures costing between $200 and $300. The first full-time postmaster employed in Crowley was J. A. Williams who succeeded Frankel and to whom Frankel sold his fixtures.[73]

The post office was housed in a frame building on Parkerson Avenue until 1900. In that year Mr. Duson erected a two-story building on the corner of Avenue G and Second Street and leased it to the United States government for use as a post office. When the building was completed the three post-office employees moved the equipment over after closing hours one Saturday. At that time Crowley was a third-class post office. City delivery routes were not established until three years later.[74] At first the post office occupied only half of the lower floor of the building, but by 1908 business had increased to such an extent that the post office occupied the entire ground floor. Continued increase in the volume of business made it evident that new quarters would have to be found. By 1913 a building costing about $80,000 was completed, which is still in use today. There are ample grounds on both the south and west of the structure to provide room for any additions that may become necessary in the future. The building contains some four hundred and fifty-five lock boxes for

[71] *Ibid.*, p. 21.
[72] *Ibid.*, p. 45.
[73] *Ibid.*, p. 14.
[74] *Ibid.*, p. 16.

rent, and the post office serves the entire city with carriers. Rural mail delivery routes are also conducted north and south of Crowley. Mail is received from the various trains which pass through the city and from the two mail busses, one operating north to Opelousas and the other south to Kaplan and Gueydan.[75] The present postmaster is Wallace McGinn, Jr.

Gas

The youngest of all the public utilities serving Crowley is the gas company. The first franchise given to such a company was granted in 1926 to the Louisiana Public Utilities Company, granting it the right to carry on a business for producing and distributing gas in Crowley.[76] However, this franchise was never used.

In 1928 the city council granted to the firm of Belchic and Laskey a franchise to build and operate a gas plant in the city, with the proviso that work on such a plant must begin within twelve months or the $1,000 bond the company had posted as evidence of their good faith would be forfeited.[77] When, one year later, the council found that the company had done no work on such a plant, they declared the bond forfeited.[78]

A third franchise was granted, in July, 1930, to the Moody-Seagraves Gas Company to "construct, maintain, and operate a system of pipe lines and gas mains for natural or artificial gas" for a term of twenty-five years;[79] but this franchise was allowed to lapse.

In the following year the United Gas Corporation came to Crowley to serve the city with natural gas. By July, 1931, their plant was in operation, with Pat Chaffin in charge of the newly created Crowley district. During the first few years the Company grew slowly, having only five hundred meters in service at the end of its third year of existence. By 1937 the number of meters had increased to 1,000 in use during the winter months. The company had laid over nineteen miles of gas mains by that date.[80] Since that time the company' business has shown a steady increase.

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[75] *Ibid.*
[76] *Ibid.*, p. 14.
[77] Crowley Ordinance Book III, No. 533, p. 217.
[78] Crowley Municipal Minutes, VIII, 258.
[79] *Ibid.*, 336.
[80] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 17.

CHAPTER IV

ECONOMIC DEVELOPMENT

Agriculture

Crowley is known as the "Rice City of America," and well it might be since it is located in the heart of the greatest rice producing district of the United States, about one-fourth of the nation's entire crop being grown within a radius of fifty miles of the city. This industry yields, from about 120,000 acres planted, a crop worth about $4,000,000 a year to Acadia Parish.[1]

It is definitely known that rice was grown in this section as early as 1867,[2] but the great development in the industry came with the opening of the territory by the Duson brothers in 1886 and the immigration of many northern and western farmers into the region. This early rice was called "Providence Rice," since it depended entirely upon the rainfall for the necessary moisture. Only enough rice was raised to supply the needs of the individual farmer and his family. With the coming of the German Colony in 1870 and 1871, rice began to be produced for the market. They selected the lowest parts of their farms, planted rice there, and built small levees to hold the water on the land. In this way, all the rainfall on the entire farm could be utilized for the crop. When the grain ripened, the levee was cut and the water allowed to drain off. While this was not a very satisfactory method of irrigation, it worked well enough to prove that the industry was a profitable one, and soon small fields of rice appeared in many parts of the section.[3]

Then on March 4, 1888, there arrived in Crowley a Michigan farmer named David Abbott, with his family. This is an important date in Crowley's history, for it was this man and his sons who originated the system of upland irrigation that has made possible the great rice industry of southwest Louisiana. The Abbotts bought a tract of land near Crowley on Plaquemine Bayou and began raising rice. They realized that the only reason why rice could not be produced on the higher lands was because of the lack of a supply of water. How to get the water from the bayou to the prairie was the problem, since the mean level of the bayou was five feet below the level of the prairie. The water could be pumped and distributed through canals to the land, but

[1] *Crowley Daily Signal*, Oct. 4, 1937, Agricultural Section, p. 1.
[2] *Ibid.*, pp. 4, 5.
[3] *Crowley Signal*, April, 1898, p. 3.

the Abbotts had no money to buy pumps. They did have a quantity of log chain which they had brought with them from Michigan. With this they constructed an endless chain, with buckets at specified intervals, for raising the water. An old three-and-a-half-horsepower engine from a small steam launch furnished the power. This was geared to an old threshing machine cylinder around which ran the endless chain with this arrangement of wooden flanges standing out at right angles to the chain. The odd contrivance worked. It lifted water into a small wooden flume which carried it to a small canal. The Abbotts planted nineteen acres of rice that spring which yielded one hundred and six bags of rice. The system of upland irrigation had proven successful. The following year they planted one hundred acres of rice and invented another pump to take care of their increased acreage. It consisted of a series of wooden blades fastened to an upright shaft, on the propeller-wheel principle, the bladed shaft revolving inside a wood pipe. The entire contrivance was of wood, with the exception of the gudgeon in the top of the shaft, which was on old iron kingbolt. A twelve-horsepower threshing engine was used for power. This pump was a decided improvement over the original one and was capable of throwing 3,000 gallons of water per minute. With this irrigating outfit sixty-five acres of the one hundred planted were saved and yielded 1,089 bags of rice. The third year they installed a second plant, with a sixteen-horsepower Case engine, and irrigated two hundred and sixty acres. Their acreage was too large for their water supply, although they harvested 2,306 bags of rice. The Abbotts also constructed a large number of their pumps for other farmers that year.

In the meantime the Dusons, seeing that upland rice culture could be successful, began to experiment. In 1889 they installed a Coleman Centrifugal single-suction pump, run by a thirty-five-horsepower engine. It was only partially successful. The installation of the Hoffer pump in 1890 also proved unsuccessful. In 1891 a Morris pump was installed, but it also was unsatisfactory. None of these plants was properly equipped with power.[4]

All the irrigation carried on thus far was on a small scale. The first attempt to put in a pumping plant to supply water for public use was made by the Dusons in 1890 when they installed a Hoffer pump on Bayou Plaquemine. This first experiment was

[4] *Ibid.*, Jan. 30, 1904, pp. 4, 5.

a failure. However, the years 1890, 1891, and 1892 were exceptionally wet years and rice grew almost of its own accord everywhere. The crop of 1892 amounted to 2,000,000 bags. In 1893 the planters again sowed a large acreage with no provisions for irrigation. But this season was a dry one, and the crop failed. The same thing happened again in 1894.[5] With two successive years of crop failures and the low prices of 1892 which resulted from a glutted market, the farmers set about to discover new ways of meeting their problems. The marketing problem resulted in the establishment of local rice mills and warehouses which will be discussed under the heading of "Industry." The other problem was solved by the development of the present system of irrigation canals. The first of these canals was that of the Abbott brothers which was put into operation in 1894. The Crowley canal came next and then the Riverside canal. Others were soon constructed and by 1898 about one hundred and fifty miles of canals, with a total irrigation capacity of approximately 55,000 acres, were in existence in Acadia Parish. The most important canal companies were the Abbott-Duson Canal Company, the Riverside Irrigation Company, the Miller-Morris Canal Company, and the private concern of the Abbott brothers.[6] By 1904 Acadia Parish had increased its canal mileage to about six hundred, with an irrigation capacity of about 90,000 acres.[7] Many farmers also dug deep wells from which they irrigated their lands.

This construction of canals also led to another problem—that of salt water. The rice crop of 1902 was almost a total failure due to the Gulf water coming up the Mermentau River and so being pumped on to the rice lands. Since salt water kills rice, something had to be done. With the energy characteristic of these rice farmers, something was done immediately. It was decided that a dam built across the river at the Grand Cheniere ridge would keep salt water from entering and at the same time make the Mermentau River system one vast reservoir. In order to get the project properly started the Rice Irrigation and Improvement Association was incorporated in November, 1902.[8] By June, 1903, a temporary dam had been constructed, and the permanent one was completed the following year.[9] This worked well for the upland rice farmers, but it did not please the people

[5] *Ibid.*, April, 1898, p. 6.
[6] *Ibid.*, pp. 6, 7.
[7] *Ibid.*, Jan. 30, 1904, p. 5.
[8] Acadia Parish Miscellaneous Book III, p. 189.
[9] *Crowley Signal*, Jan. 30, 1904, pp. 8, 9.

living in the Grand Cheniere region. Because the dam held back all the water, their pasture lands were always flooded after a heavy rain. Sometimes it even flooded their cotton which they planted on the ridge. Threats were made, while the dam was being built, to dynamite it. For a time guards were kept stationed at the dam. After they were removed the dam was blown up, and salt water still remains as one of the biggest problems of the rice farmer.

Along with the development of canals other improvements were being made in the cultivation of rice. The broadcast seeder replaced seeding by hand. First the cradle and then the self-binding harvester took the place of the old-fashion sickles. Kansas and Nebraska farm horses and Missouri and Tennessee mules rapidly took the place of the small Creole pony in farm work. The small cotton plow was replaced by sulky, riding and gang plows. The old-fashioned three-cornered cultivator gave way to the spring-tooth, the cutaway and the disc. And the steam thresher took the business originally performed by the flail and the wind.[10] These new machines were brought in by the northern and western wheat farmers who immigrated into the section.

Since then perhaps the greatest advance made has been the introduction of the tractor to take the place of mules for pulling gang-plows and binders, and the replacing of the old steam engines used in operating the threshers with modern diesel and crude oil engines. A combination reaper and harvester has been tried out but without much success. Crude oil engines have also been installed in many of the pumping plants and are used to operate the deep wells from which many farmers irrigate their lands.

It is difficult to estimate the value of the rice irrigation industry of Acadia Parish, since many farmers have their own deep wells or draw water from the bayous and coulées rather than from the great irrigation canals, but the assessment figures will give some idea of its value. In 1937 the assessment of irrigation plants and deep wells in Acadia Parish was $727,290, being only second in amount to that of the rice mills and manufacturing plants.[11]

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[10] *Ibid.*, April, 1898, p. 3.

[11] *Crowley Daily Signal*, Oct. 4, 1937, Agricultural Section, p. 4.

No discussion of the rice industry would be complete without the inclusion of the story of Sol Wright, the "Burbank of the rice industry." Mr. Wright had been a wheat farmer in Indiana before he came to Southwest Louisiana in 1889 and bought a rice farm. He found only two varieties of rice then under cultivation in the region—Japan and Honduras. Neither of these varieties gave him the proper return on his investment, and he determined to improve the rice grain. In 1907 he began his "selection" work, with several heads of rice that J. F. Shoemaker of Crowley had found growing in a field of Japan near Jennings. After four years of experimentation he announced, in 1911, this new type of rice which he named "Blue Rose." In 1915 Mr. Wright had another improved variety to market. This was the "Early Prolific," an early maturing grain. Many farmers plant both Early Prolific and Blue Rose, since one is an early and the other a late maturing grain. About eighteen percent of the crop of 1934 was Early Prolific.

"Lady Wright" and "Edith" are two other varieties which Mr. Wright developed. On the 1934 crop about thirty-seven percent was Lady Wright and twenty-seven percent Edith. The *United States Agricultural Year Book* for the year 1936 stated that "roughly 73% of the rice produced in the United States in 1934 consisted of varieties developed by the late S. L. Wright."[12]

Other varieties have been developed by the Crowley Rice Experiment Station which was established in 1909. The parish offered to lease for the consideration of one dollar a year sixty acres of land to the United States government and the State of Louisiana jointly, on which a general agricultural experiment station was to be established.[13] The two governments accepted the offer and established upon the tract the Rice Experiment Station. Later another fifty-one acres was added to the original grant of sixty acres.

Some of the varieties developed there are Fortuna, Rexoro, Nira, Shoemed, Coloro, and Colusa. Of all these perhaps Fortuna is the best known in Louisiana. It was released for growing in 1911. Rexoro is rapidly gaining favor, and in 1934 it formed about twenty-seven percent of the crop. It is late-maturing grain and is noted for its superior table qualities. Colusa and Colora

[12] *Ibid.*, pp. 1, 2.
[13] *Ibid.*, p. 2.

are not so well known in Louisiana, but 95,500 of the 106,000 acres of rice planted in California in 1934 were of these two varieties.

Besides developing new varieties of rice, the workers at the Rice Experiment Station also study insects that are injurious to rice, ways of improving the soil, and indeed every phase of agriculture that might help to produce better rice crops. Located at the Station also are the weather instruments with which a daily record is kept.[14]

The Rice Association of America was organized in Crowley on December 12, 1901, for the purpose of advertising rice,[15] and it has rendered valuable service in promoting increased rice consumption. The recent National Rice Festivals held in Crowley in the years 1937-1940 have also aided in the same purposes.

A new service to aid the rice farmers was inaugurated when a Federal-State grading office was located in Crowley on September 1, 1930. The inspectors employed in such offices do all the work of sampling, testing, grading, and certifying shipments of rice. They will issue certificates showing the grade, condition, and quality of the rice, which may be used in a commercial contract. The service was at first compulsory under the A.A.A. program, but since 1935 it has been optional.[16]

Although rice is by far the most important agricultural crop of Acadia Parish, there are others that are also important. Cotton brings the greatest return among the crops of lesser importance. The Crowley *Signal* of January 30, 1904, in discussing the growing of cotton in Acadia Parish, told of W. G. Cousins, a tenant on the farm of Abbott Brothers near Crowley, who had planted two and a half acres of cotton during the preceding season. He fertilized the land with waste manure gathered from the farm and took his crop to the Rayne Ginning Company, at Rayne. He sold 1,642 pounds of lint, for which he received $225 in cash. His total expenses in raising the crop, including picking, were only $37.50.

The 1937 cotton crop in Acadia Parish brought in approximately $1,050,000, most of it being produced in the northern and northwestern sections of the parish. There are some eight cotton gins located in the parish, and about 2,150 cotton producers.[17]

[14] *Ibid.*
[15] Acadia Parish Miscellaneous Book III, p. 50.
[16] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 48.
[17] *Ibid.*, Agricultural Section, p. 1.

The cattle industry in Acadia had developed very slowly until recent years. The tick eradication program which was completed in 1935 freed the state of the ticks and aided in the development of the livestock industry. Bang's disease tests were also carried out and resulted in great improvement of herds. The soil conservation program is encouraging farmers to provide better pastures. The Acadia Cattlemen's Association, formed in 1935 has done much to aid the industry. In 1937 Crowley was host to the State Cattlemen's Association and the program of that meeting centered attention on the possibilities of the cattle industry in Acadia. The establishment of a meat packing plant at Lake Charles gave further impetus to the movement. In 1937 the value of the beef cattle industry in Acadia Parish was estimated at $300,000, with the number of beef cattle listed at 41,320.[18]

Truck farming is not very extensive in Acadia Parish, yet it is an important industry to some of the citizens. Many large tracts, particularly in the vicinities of Rayne and Church Point, are devoted to truck crops. Almost every type of crop can be grown on these farms. Perhaps the most important vegetable and truck crops are: tomatoes, of which several hundred crates are shipped annually from Rayne; yams, shipped from Church Point to New Orleans; red creole onions, okra, corn, beans, peas, and many other varieties of fresh vegetables. Figs and the Louisiana sweet and satsuma oranges are the fruits most widely grown in the parish, though fruits are not grown extensively for the market.[19]

Agencies established to aid the farmers of Acadia Parish include the county farm and home demonstration agents. This service was inaugurated in 1909, and attempts have been constantly made since that date to improve crops, poultry, and livestock, and to make the farm a more attractive place on which to reside. Work with the 4-H Club members is conducted by the Assistant County Agent and the Assistant Home Demonstration Agent. Since 1933 C. A. Brewer, the County Agent, has had charge of the farm control program of the parish, and he has reported that eighty-five to almost ninety-five percent of the farmers have cooperated with the government in carrying out the program.[20]

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[18] *Ibid.*, pp. 1, 6.
[19] *Ibid.*, Industrial Section, p. 13.
[20] *Ibid.*, Agricultural Section, p. 2.

Industry

One of the most important factors in the development of the rice industry in Southwest Louisiana has been the growth of country rice mills. Prior to their establishment, all of the Louisiana rice mills were located in the Mississippi River rice district, especially in New Orleans. Gradually they were concentrated in New Orleans until by 1870 that city had become the rice center of America and the only market for the Louisiana rice crop. This resulted in great hardships for the rice farmers. There were no rice buyers at that time, and the farmers had to dispose of their product through commission men. The farmers shipped their rice to the New Orleans market without any idea of the price they would receive for it. Frequently it remained in the hands of the agent for many months before any disposal was made of it, and the farmer might have his next crop planted before he knew what his last brought him. Then, too, as there were not sufficient warehouses in which to store the crop, it must be shipped to New Orleans as soon as it was harvested. As a result, the market would become glutted and prices would go down, sometimes dropping so low that the return received for the crop was less than the cost of production.[21] This state of affairs became so bad that the rice farmers determined to remedy it. Forming stock companies, they went into the milling business, not with the intention of making anything out of the milling process but only for the purpose of securing a fair price for their rice. The Acadia Rice mill, established in Rayne in the later 1880's, was the first of these mills.[22] However, it was not until the next decade that rice milling was engaged in to any great extent in Southwest Louisiana.

In June 1892, the Farmers' Cooperative Rice Milling Company was formed in Crowley so that a mill to protect the rice farmers could be erected. The capitalization of the Company was $50,000, but the charter provided that the organization was to start functioning when $25,000 of stock had been subscribed. The *Signal* of June, 1892, in urging the rice farmers to support the movement, said:

> Elsewhere in this issue of *The Signal* will be seen the charter of the Farmers' Co-operative Rice Milling Company, Limited, which, upon careful perusal should commend itself to the active support of every rice planter in the Acadia

[21] *Crowley Signal*, April, 1898; Jan. 30, 1904.
[22] *Ibid.*, April, 1898, p. 18.

Parish. Every safeguard that could possibly be included in the charter of the incorporation for the protection of the stockholders and the promotion of their true interests in the successful management of the home rice industry is found in the admirable charter of the organization. It is the only method by which the giant rice trust can be overthrown; because if the rice farmers consolidate their own products will furnish rice enough to keep the mill busy throughout the year and the foreign rice trust will be helpless in any effort it may make to close or buy out the mill. We understand that the Rice Trust at New Orleans has sent secret agents into this and other parishes where rice is grown to discourage the planters from taking stock in the country mills; that these agents are telling the rice farmers that the Rice Trust will dissolve before the next harvest season and that rice will command high prices in the city next fall. Now, we warn our rice planters not to listen to such false advice as this: because the statements are made simply to mislead the farmers and to prevent the building of mills in the country. Even granted that the Rice Trusts should be dissolved in New Orleans, there is every reason to impress our rice farmers to build a mill of their own and reap the profits of an enterprise which promises to pay so handsomely in the center of the rice industry of Acadia Parish. There is enough rice raised here to keep a large mill running throughout the year, when we consider the expense of freights in shipping to and from New Orleans, of the vast amount of feed that will be turned out at the mill and can be used and sold by the planters at home, we do not hesitate in saying that Crowley should be made a better rice market than New Orleans. If a large rice plant is established here it will become a distributing center of clean rice, and buyers will come or send in their orders for the clean products just as they do at New Orleans at the present time.

Then let there be no delay in subscribing the capital stock of this grand enterprise and let the matter be pushed to a success before the next harvest season. This is the great opportunity of our rice planters to place themselves in an independent position against the trust and to make the rice industry an assured success in the future.[23]

There were some arguments about the votes that the stockholders should have in management of the concern, and with the public skeptical about the mill it was several months before sufficient funds had been raised for the erection of the mill. On March 1, 1893, a charter was granted to the Pickett Rice Milling Company,[24] and the first rice was milled about March 18, 1893.

[23] *Crowley Daily Signal*, Oct. 4, 1937, Industrial Section, p. 4.

[24] Acadia Parish Miscellaneous Book I, p. 312.

A small two-story building had been erected and equipped with the necessary machinery, some of which was invented and patented by Pickett himself. The engine for this first rice mill was a small fifty-horsepower affair, being used at a pumping station during the irrigation season and then hauled to the mill when it was ready to operate, thus serving a double purpose. The one building, which was about as large as the engine-room of a modern rice mill, housed the mill, warehouse, and engine and boiler-room. It could handle only a limited amount of rice, but it demonstrated that the idea behind its operation was practical.

During the season of 1894 the mill lay idle, but the men sponsoring the enterprise improved the machinery and advertised its completion. In 1895 a one-story warehouse, sixty by one hundred feet, was added and a prosperous milling season ensued.[25]

There was at first a great lack of confidence in the success of the enterprise, and the commission men and rice dealers of New Orleans heaped ridicule upon the idea, banteringly making offers for the machinery of this pioneer mill as scrap iron, and otherwise endeavoring to discourage the proprietors. The planters, however, realized that it was to their advantage to have their rice milled closer to home, and they began to patronize the local mills. Other rice mills were erected during the succeeding decade, until by 1904 there were fifty-seven completely equipped mills in Louisiana and Texas, the city of Crowley heading the list with ten large rice mills within her corporate limits and several others located within a radius of a few miles.[26]

The following incorporation dates for rice mills in Acadia Parish give some idea of the growth of the industry: 1893, 1 mill; 1896, 1; 1898, 2; 1899, 2; 1900, 4; 1901, 1; 1907, 4; 1911, 1; 1918, 1; 1919, 1; 1931, 1; 1932, 1; 1933, 1; making a total of twenty-one.[27]

An attempt was made in 1911 to bring the many scattered small mills under one management so as to unify their efforts. From this movement developed the Louisiana State Rice Milling Company, the largest rice milling company in America, beginning, under the leadership of Frank Godchaux, with thirty-three mills. Later the Texas State, the Arkansas State, and California

[25] *Crowley Signal*, Jan. 30, 1904, p. 15.

[26] *Ibid.*

[27] Acadia Parish Miscellaneous Books I, II, III, IV, *passim;* Acadia Parish Charter Books, Nos. 1, 2, *passim.*

State Rice Milling Companies were added. Nine years later, in 1920, a trade journal referred to Mr. Godchaux as the "Rice King." He was then president of the Rice Millers Association and was leading a movement, representing eighty percent of the rice produced in the United States, for advertising rice. By this time the number of mills owned by the company had been reduced to sixteen, with more advantageous locations and improved units. A further concentration of the plants occurred until by 1937 there were only five large mills in Louisiana and one in Arkansas owned by the company. These were: the Rayne Mill at Rayne; the People's Mill at Crowley; the Northern Mill at Jennings; the Lake Charles Mill, the largest in the world, at Lake Charles; the Planter Mill at Abbeville; and the Louisiana State Mill at Carlisle, Arkansas. The mill which they had purchased in the California rice belt had burned and was never rebuilt. The company today handles practically every phase of the rice industry, including the packaging and distribution of the grain. This later phase was begun in 1926 when packaging machinery was purchased and installed. In 1928 this department was expanded and from it has come the Louisiana State trade names for rice which include Water-Maid, Sonny Boy, River Maid, Water Boy, F. A. G., and Mahatma, the last named being the famous Rexoro rice.[28]

Besides the rice milling companies, many rice growing and distributing companies have been organized. These organizations help in financing the small farmers, distribute the rice after it is milled, and carry on advertising campaigns to increase the number of consumers.

The following rice mills are located in Crowley today: Standard Rice Mill, owned by Houston, Texas, interests; American Rice Mill, owned and operated by T. B. and C. J. Freeland; People's Mill, which is a branch of the Louisiana State Rice Milling Company; T. Simon Rice Mill, owned and operated by T. Simon; A. B. Doré Rice Mill, which belongs to Mr. Doré; Imperial Mill, recently purchased by Wayne Thomson of Crowley and George Smith of Arkansas; International Rice Mill, bought recently by W. E. Trotter and W. L. Trimble; Dixie Rice Mill, owned and operated by I. B. Kaplan; and the Rice City Mill, which belongs to Alex Brown, Joe Cassidy, and Lawrence Brown, who also own and operate the Eagle Rice and Feed Mill.

[28] *Crowley Daily Signal*, Oct. 4, 1937, Industrial Section, p. 7.

There are in the parish a total of sixteen rice mills which handle most of the 2,500,000 to 3,000,000 barrels of rice produced in the parish each year. The value of these rice manufacturing and processing plants, including investments in buildings, warehouses, machinery, and other equipment used in rice milling today, amounts to about $750,000.[29]

Along with the development of the rice mills has come an increase in the number of warehouses in the parish. At first there was only a "rice depot," where the crop sold in New Orleans could be stored until it could be shipped to the mills. With the establishment of mills in Crowley and its vicinity, this depot was no longer necessary, but storage facilities were needed in connection with the mills and by the farmers to store their grain until they were ready to sell it. Today there are over forty bonded public warehouses in the parish, most of which have been in existence for a number of years as no additional storage facilities have been necessary for some time. Fourteen of these warehouses are located within the city of Crowley, the others being scattered over the parish.[30]

To care for Acadia's cotton crop, eleven cotton gins have been established in the parish, most of them being located in or near Church Point which is the center of the cotton industry. Only one cotton gin has been established in Crowley.[31]

The newest industry to be discussed for location in Crowley is the establishment of a mill which will manufacture paper from rice straw. Such an establishment has been discussed many times, and several applications for such a plant have been considered. But because the Association of Commerce has been unwilling to sponsor such a mill, none has yet been established.[32] The latest proposal for such a mill was made in 1938 by C. A. Kierns who had worked out and patented a process for making kraft paper from rice straw. He proposed that the city furnish a twenty-five acre site tax-free for ten years. He would see to the erection of a $450,000 plant if his New York contacts agreed to the proposition.[33] The city has always been hesitant about permitting the erection of such a plant within its boundaries for fear of the odor and refuse that would ordinarily accompany such a factory.

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[29] *Ibid.*, p. 1.
[30] *Ibid.*, Agricultural Section, p. 1.
[31] *Ibid.*, Parish Section, p. 22.
[32] *Ibid.*, p. 4.
[33] *Ibid.*, July 6, 1938.

Oil Development

The story of the oil industry in Acadia Parish begins back in the days when Crowley was a village. At that time the Beaumont and Orange, Texas, fields were being exploited and the quick wealth which was being brought to those sections excited the residents of Southwest Louisiana. The Anse la Butte field, near Breaux Bridge, was being explored and gas wells were discovered in several places. With each discovery new rumors went the rounds and public interest increased.[34] This resulted in the formation of various companies for the exploration of oil prospects and for drilling wells, ten such companies being incorporated in Crowley in 1901.[35] Early in that year the important drilling work began. The most important result of all this wildcat activity was the opening up of the Mamou field in the summer of 1901. The first gusher was brought in by the Jennings Oil Company, followed soon afterwards by one drilled by the Crowley Oil and Mineral Company. This field lies between bayous Nezpique and des Cannes, and in 1903 it was the largest oil field in Louisiana. With the exception of Sour Lake, Spindle Top, and Batson Prairie fields, the Mamou field, known today as the Evangeline Oil Field, was the best producing oil field in the Southwest in 1903, producing 500,000 barrels of oil in that year. If the price had not been so low that it curtailed production, the field probably would have produced nearly a million barrels annually.[36]

As soon as the first wells had demonstrated that a new oil field had been discovered, a rush began with the result that within a few weeks dozens of oil derricks dotted the prairie, and a busy town—Evangeline—sprang up as if by magic. Strikes continued until a large number of oil companies were doing a successful business.

Another Crowley company active in this field was the Crowley Petroleum Company which succeeded in bringing in a well in 1903.[37] Some idea of the value of the field may be obtained from a statement made by the *Rice Journal and Southern Farmer* of March 1, 1913, which said that the Crowley Oil and Mineral Company had just paid its fiftieth ten percent dividend on December 25 of the preceding year, making a total of $1,000,000 paid its stockholders in dividends on a capitalization of $200,000.[38]

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[34] *Ibid.*, Oct. 4, 1937, Industrial Section, p. 1.
[35] Acadia Parish Miscellaneous Books II, III, *passim.*
[36] *Crowley Signal*, Jan. 30, 1904, p. 18.
[37] *Ibid.*
[38] *Crowley Daily Signal*, Oct. 4, 1937, Industrial Section, p. 2.

No new oil fields were developed in Acadia Parish until 1934 when the Superior Oil Producing Company began operations in the Bosco field. The first well there was brought in on April 22, 1934, and within a week six new locations were staked and five drilling rigs were moved in for simultaneous drilling. More and more wells were sunk until the extent of the field was proven. It contains at least forty-five producers, which produced in 1936 under proration orders 4,581,668 barrels of oil.[39]

The third field to be developed in Acadia Parish was discovered by the Continental Oil Company in 1935 when it brought in its first well in the Tepetate field. Even yet they have not discovered the limits of the field. It produced about 1,418,000 barrels of oil in 1936. The company also built on the field a $250,000 gasoline absorption plant with a capacity of 50,000 barrels of gasoline daily. They have constructed a fifty mile pipe line from the field to the Mathieson Alkali works at Lake Charles alongside of their crude oil line, thus utilizing the gas produced with the oil.[40]

The fourth oil field and the third deep-producing field in the parish was developed by the Superior Oil Producing Company. It was begun in 1936 and is located in the northern part of the parish, near Bayou Mallett. Four wells were completed in 1936 which produced a total of 54,748 barrels. No new wells are being planned although indications are that Superior will go back to further develop the field.[41]

Also in 1936, more work began in the old Evangeline field. The older wells were all shallow ones and the field seemed to be about worked out. However, the Superior Oil Company determined to try a deeper well and at about 8,000 feet hit production on New Year's Eve. A period of feverish drilling ensued with producers being brought in all the time, each time extending the field. Besides the Superior Oil Company, the Evangeline field is being worked by the Cosmo Petroleum Company and by several independent operators.[42] The field has more than twenty-five producing wells in a flank area of the oil field and indications for many more are good.[43]

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[39] *Ibid.*, p. 1.
[40] *Ibid.*, p. 6.
[41] *Ibid.*
[42] *Ibid.*
[43] *Ibid.*, p. 7.

Financial Institutions

The first financial institution established in Crowley was the "Crowley State Bank" chartered on June 24, 1892, for the purpose of doing a general banking business. Its capital stock was fixed at $75,000, with power to increase it to $250,000. The first board of directors was composed of Preston S. Lovell, Seman A. Knapp, Derick P. January, Jacob Frankel, William W. Duson, Alphonse Levy, Raymond T. Clark, William C. Ellis, and Hiram W. Carver.[44] P. S. Lovell was elected president and W. E. Ellis cashier. This bank was the forerunner of the present Bank of Commerce and Trust Company.

In 1898 the "Bank of Acadia" was granted a charter to do business in Crowley, with a capital stock of $45,000 divided into 450 shares of $100 each.[45] This bank continued until 1931 when it failed. It was later taken over by the Bank of Commerce.

Three other banks established in Crowley but having only a short existence were the Crowley Bank and Trust Company chartered in 1911, the Crowley Trust and Savings started in 1922, and the Planters Bank and Trust Company established in 1923.[46]

On April 1, 1926, the Bank of Commerce was organized with a capital of $50,000.[47] In February, 1932, it absorbed the old Bank of Acadia and was renamed the Bank of Commerce and Trust Company.[48] Then, in 1936, one of the biggest mergers of many years occurred in Crowley when the Rayne State Bank of Rayne, the Farmers Bank and Trust Company of Church Point, and the Bank of Commerce and Trust Company united to form the Bank of Commerce and Trust Company with a capitalization of $350,000.[49] This institution is still in existence in Crowley under the above name.

Crowley's other bank is the First National Bank, chartered in 1899 but not opened for business until September 3, 1900. T. J. Toler was its first president, with P. L. Lawrence as cashier. It has been reorganized several times, the last time in 1924 when C. J. and T. B. Freeland obtained control of it. The bank is a member of the Federal Reserve System and of the Federal Deposit Insurance Corporation, and has a capital of $1,000,000 and a surplus of $55,000.[50]

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[44] Acadia Parish Miscellaneous Book I, p. 265.
[45] *Ibid.*, Book II, p. 192.
[46] *Ibid.*, Book IV, p. 347; Acadia Parish Charter Book, No. 1, pp. 367, 409.
[47] Acadia Parish Charter Book, No. 1, p. 513.
[48] *Ibid.*, No. 2, p. 65.
[49] *Ibid.*, p. 189.
[50] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 10.

The Freeland brothers who head this institution are well known in Crowley banking and rice industry circles. They came to Crowley from Illinois when the village was about a year old, and have been engaged in rice planting ever since. They own and operate the American Rice Milling Company. T. B. Freeland is president and C. J. is secretary-treasurer of the Louisiana Irrigation and Mill Company; and C. J. is president and T. B. is vice-president of the First National Bank. C. J. Freeland spends most of his time at the bank, while T. B. Freeland is to be found most often at his desk at the mill.[51]

The financial institution in Crowley today with the longest period of service is "The Crowley Building and Loan Association." It was chartered on May 9, 1893, with a capital stock of $500,000 for the purpose of the "accumulation of a fund from monthly installments on account of subscriptions to capital stock, rentals, premiums and interest on loans, the fund so accumulated to be used for the purchase and sale of real estate, to building rentals and sale of homesteads and the lending of funds upon mortgage on realty or other security in Acadia Parish."[52] The first president was Jacob Frankel, who remained president of the Association until his death in 1941, a period of forty-eight years.

In 1895, two years after its organization, the institution published its first financial statement. A comparison of this first statement with its eighty-eighth semi-annual statement, for the six months ending June 30, 1937, illustrates its growth:[53]

First published statement:

Assets

Loan Securities	$6,500.00
Dues and Interest	8.50
Transfer Fees	2.75
Cash on hand	199.47
	$6,710.72

Liabilities

Dues on shares A	$3,864.00
Amount due B	55.00
Amount due on Kloor Loan	201.00
Amount due Foote, overpaid	.09
Undivided Profits	2,590.61
	$6,710.72

[51] *Ibid.*, Industrial Section, p. 3.
[52] Acadia Parish Miscellaneous Book I, p. 246.
[53] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 10.

Eighty-eighth semi-annual statement:

Assets

First Mortgage, with Vendor's lien and privilege, direct reduction loans	$371,218.36	
Accrued and uncollected interest on the above loans	6,904.62	378,122.98
Loans secured by shares of this association		6,674.88
Real Estate sold on contracts		11,676.16
Real Estate owned		1,463.84
Second Mortgages (four)		4.00
United States Government Obligation (HOLC 37% Bonds)		1,875.00
Acadia Parish First Ward Drainage District Bonds		34,000.00
Paving notes		17,822.70
Office Building		20,753.23
Furniture and Fixtures, less depreciation		400.00
Cash on hand and in banks		7,439.61
Total Assets		$480,232.40

Liabilities

Full Paid Shares	$315,830.00	
Optional Shares	67,736.84	
Total Repurchaseable Shares		383,566.84
Mortgage Loan Shares		2,513.81
Dividend No. 88, declared, unpaid and uncredited		9,502.34
Other Liabilities		139.39
Reserve for 1937 Taxes		250.00
Contingent Loss and Reserve		30,000.00
Federal Insurance Reserve		20,000.00
Undivided Profits		34,260.02
Total Liabilities		$480,232.40

In the early days, when the Building and Loan Association had money to lend it went to the highest bidder.[54] This practice, of course, is not in use today. The president of the Association now is L. M. Medlenka.

Commerce

The first railroad through the territory was built even before Acadia Parish was created. This railroad from Lafayette, Louisiana, to Orange, Texas, was begun in the 1870's as a part of the New Orleans and Mobile Railroad. Some grading had been done before it was sold under foreclosure in 1876. This part was

[54] *Ibid.*, p. 43.

purchased by Morgan's Louisiana and Texas Railroad Company which subsequently transferred it to the Louisiana Western Railroad Company. Still later it was taken over by the Southern Pacific Company. Continuing the construction of the road, the company put the entire line into operation in August, 1880, thus completing a direct line from New Orleans to Texas.[55] A switch was installed on the present site of Crowley and it is believed that this is one reason why the village was laid out there.

Two other railroads have since been built through Crowley. The Opelousas, Gulf and Northwestern Railroad was to connect Opelousas with some line of railway traversing the eastern portion of the Parish of St. Landry on into New Orleans and to extend the line from Opelousas southwestward to Crowley, intersect the Louisiana Western Railroad there and continue on to deep water on the Gulf. In 1905 a special tax of five mills was voted for ten years to aid in the construction of such a railroad.[56] This line is today a part of the Texas and Pacific system.

In 1906 a petition to the police jury, presented by citizens of the sixth ward, resulted in a special election to determine whether a four-mill tax for ten years should be voted to aid the Colorado Southern, New Orleans and Pacific Railroad Company under the following conditions: first, not more than $10,000 a year should be collected; second, the line should be built from or near DeQuincey to some point on the Mississippi River, with a branch line from Eunice to Crowley; third, the line was to be built by February 12, 1908; fourth, the line was to be operated independently of any existing railroad; and, fifth, the tax, if voted, was to repeal the five-mill tax voted in 1902 in favor of the Louisiana Railroad Company. The election was held and the issue carried.[57] Construction work on the road was started, but because of heavy rains which caused the Atchafalaya River to become higher, it was impossible to build a bridge across that river. The remainder of the line was finished and put into operation on January 1, 1909.[58] It was later taken over by the Gulf Coast system. These three railroads still operate in Crowley. Much rice and other products are shipped over them, as Crowley early developed as an important shipping point.

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[55] *Poor's Manual of Railroads*, 1884, p. 484; 1886, p. 771.
[56] Crowley Municipal Minutes, IV, 171, 179.
[57] Acadia Parish Police Jury Proceedings, Book I, pp. 237, 274.
[58] *Ibid.*, Book II, p. 125.

Besides its railroads, Crowley has had a wharf with shipping facilities. This movement was largely sponsored by J. G. Medlenka who came to Crowley from Houston, Texas, as an agent for the Southern Pacific. He later passed the Louisiana bar examinations and remained a member of the state bar association until his death in 1935. It was largely due to his efforts that Bayou Plaquemine Brulé, later named Medlenka River in his honor, was dredged out and cleared by the Federal Government. Wharves were constructed and a landing created. For a time much rice was shipped from Crowley down the Mermentau River to Lake Charles. Later the bayou filled up to some extent and it was not used so much. Mr. Medlenka, however, kept up the fight and even in 1930 and 1932 continued his efforts to secure the use of this waterway for Crowley.[59] In 1929 the city council had created the Crowley Public Wharf Commission to take charge of the landing at Medlenka River,[60] and for several years the waterway was used by barges.

In addition, there are several trucking firms located in Crowley which haul rice and other products. Among them are John H. John, E. R. Fogleman, Spell Brothers, Cagnina, and the American Rice Mill which owns and operates its own fleet of trucks.

CHAPTER V

THE SOCIAL DEVELOPMENT OF CROWLEY

Education

In 1887, soon after the establishment of Crowley, a small one-room school located somewhere in West Crowley was built to serve the infant town.[1] In the following year a group of residents of the town appeared before the clerk of the Thirteenth Judicial Court for the Parish of Acadia to form an association for the purpose of "organizing and conducting an institution of learning for the instruction of youths to be known and named Crowley's Graded School."[2] The charter was to continue in force for twenty-five years, and the school board, therein provided, was to hold regular quarterly meetings and such special meetings as might be necessary. Soon thereafter the Parish School Board was organized, with D. W. Hoyt as "secretary-superintendent." Miss Maggie Conway was the first teacher, and the subjects

[59] *Crowley Daily Signal*, Oct. 4, 1937, Industrial Section, p. 10.
[60] Crowley Municipal Minutes, VIII, 304.
[1] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[2] Acadia Parish Miscellaneous Book I, p. 52.

taught were reading, writing, arithmetic, and language.[3] The old school building was soon moved to the east side of Parkerson Avenue where it continued to be used for some time.

In 1890 a charter was granted to the "Acadia Literary and Commercial College," established for the instruction of the youth of Crowley. The college was to be conducted independently of any religious denomination or sectarian influence. The president and sixteen trustees were to be elected annually by the patrons of the school residing within four miles of Crowley.[4] In the following year it began operations as a boarding, coeducational school headed by the Cherry brothers. It had four departments—primary, elementary, graduate, and normal. By 1897 a three-story building costing about $20,000, located on four squares of ground donated by W. W. Duson and Brother, had been built on the site of the present High School. It was classified by the parish school system as a "private academy" with an enrollment of 236 students. J. T. Barrett was president.[5] Fire destroyed the building in 1899 and it was not rebuilt.[6]

By 1892 the citizens of Crowley were beginning to feel that their old public school building was too small. One Saturday a subscription list was started to raise the necessary funds for the erection of a new school building. The *Signal* stated that the leaders of the movement hoped to raise the sum of $2,500 by the following Saturday. The next issue of the paper said they were agreeably disappointed. The sum raised during the week was $3,020. Of this amount the farmers of the vicinity subscribed nearly half, and W. W. Duson's gift was $500.[7] The new building was completed in the following year.[8]

In 1893 the Southwest Louisiana Land Company, represented by its agent, W. W. Duson, donated to the town of Crowley fourteen lots located in block one hundred and twenty-one, to be used as the site for the erection of a good public school, upon the condition that the property should be used only for educational purposes.[9]

Another private educational institution was established in Crowley in 1900 when Mr. Lewis founded the Crowley Univer-

[3] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[4] Acadia Parish Miscellaneous Book I, p. 119.
[5] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[6] *Ibid.*
[7] *Ibid.*, p. 6.
[8] Acadia Parish Miscellaneous Book I, p. 334.
[9] File No. 5417. Bill of Sale filed under given number in office of the Clerk of Court of Acadia Parish, Crowley, Louisiana.

sity School near his home in East Crowley. It was to take the place of the old Acadia College and has been described as "the interim between old college ideas—as represented by Acadia College—and the new system of public schools as used today."[10] The school is said to have included "all the Clarks, Lyons, Fontenots, Dusons, Fremauxs and everything in this town and countryside."[11]

The town council ordered a special election held on September 18, 1900, on the question of erecting a high school building in the town of Crowley and of levying and collecting a two-and-one-half-mill tax annually for the purpose of raising funds to pay the principal and interest on the bonds issued to pay for construction of the building.[12] The election was held and the proposition carried. Bonds to the amount of $20,000 were issued, and the contract for the new school building was let to H. C. Voss.[13] The building was completed in 1902 and was used for all the elementary and high school classes. It is still in use as an elementary school building.

Before 1902 the town had been building and operating its own schools and paying the salaries of the teachers who taught in those schools. In that year the town council, deciding to cooperate with the parish school board, created a joint school committee composed of four members appointed by the council and three appointed by the parish school board. This committee was to meet once a month and to have charge of all school affairs in Crowley.[14] This system of school government lasted until 1920, when the city council deeded to the Acadia Parish School Board all school property in the city, upon the condition that it assume all responsibility and liability for conducting the city schools and also pay out the bond issue to be voted by a school district to be created by it. All expenses to be incurred by the city for the use of the schools in anticipation of the bond issue voted by the city of Crowley were also to be paid by the parish.[15] Since that date the parish school board has had complete charge of the Crowley city schools.

Not content with providing adequate buildings and equipment for the pupils, Crowley has also been interested in helping

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[10] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[11] *Ibid.*
[12] Crowley Ordinance Book I, No. 51, p. 85.
[13] *Ibid.*, No. 72, p. 137.
[14] *Ibid.*
[15] *Ibid.*, Book III, No. 458, p. 65.

its teachers to become better prepared for the positions they hold. A normal school of a month's duration was held in the city hall during the summer of 1905.[16]

By this time the children of Crowley proper were well provided with educational facilities, but those living near the city and too far away to walk to school were not being cared for. Consolidation of schools had done away with the small local schools which they had been attending. It was in 1906 that the first provisions were made to convey them to school and a system of school busses was started. J. H. Lewis, parish superintendent of schools, purchased two horsedrawn "wagonettes" which carried about fifty boys and girls in that year. Then after the system had proved itself he asked the endorsement of the parish school board, which was unanimously given. The drivers of these early "school busses" furnished their own teams and received a salary of about $30 per month.[17] In 1937 seventy-one school busses were operating in the parish, and carrying about 5,202 students. The drivers owned their own busses and received salaries of about $100 per month. They carry both public and private school students. As yet no fatal accident involving an Acadia Parish school bus has occurred.[18]

In addition to the parish support given to all the schools, the sixth ward school district, which included Crowley, voted in 1906 to levy an annual tax of two-and-a-half-mills for ten years to provide additional support for its public schools.[19]

Crowley had been growing so rapidly and spreading out so far that a demand arose for a school building in South Crowley. The city owned no land there but did own some in North Crowley. So in 1907 the mayor was authorized to make an exchange of lots with W. W. Duson, trading the city's North Crowley lot for a block of ground located in South Crowley and owned by Mr. Duson.[20] The building was erected on the South Crowley property about 1908.

Several improvements were made in the school system with the result that in 1908 the Crowley High School was for the first time approved by the State Department of Education.[21] The

[16] Crowley Municipal Minutes, IV, 186.
[17] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 1.
[18] *Ibid.*, p. 3.
[19] Acadia Parish Police Jury Proceedings, Book I, p. 291.
[20] Crowley Municipal Minutes, IV, 398.
[21] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.

following year the ladies of the school league decided to install drinking fountains in both public schools.[22] At different times the city council appropriated money to aid the schools.[23] In 1913 Home Economics was added to the curriculum of the North Crowley school and the faculty was increased to twelve.[24]

By 1919 the existing schools were overcrowded, and a special election was held on the question of issuing bonds to the amount of $60,000 to be used to erect, equip and repair Crowley's school buildings.[25] The question carried by a large majority. The plans called for the erection of a modern high school plant on the site in North Crowley. Some opposition arose over the site, and C. J. and T. B. Freeland offered the city a block of ground and $100 if they would erect the new high school building in the eastern part of the city. However, the offer was rejected and the building was located in North Crowley as originally planned.[26]

In 1920 provisions were made to turn all city school property over to the parish school board, and the following year the city council authorized the mayor to deed the school property owned by the city to the school board for the consideration of $13,892.[27]

Since the parish took over the management of the Crowley schools work has continued in improving the buildings and the quality of instruction offered. In 1921 the Crowley High School was admitted to membership in the Southern Association of Colleges and Secondary Schools.[28] In 1935 a supervisor for the parish[29] and a director of public school music[30] were added to the staff.

Soon afterwards an extensive parish-wide building program was launched, totaling about $750,000. The school board put up about $500,000 and the Federal Public Works Administration provided the balance. Funds for the amount appropriated by the school board came from the two bond issues voted by the taxpayers of Acadia Parish. The first bond issue of $120,000 was voted by District No. 65, which is the central part of the parish including Crowley, in December, 1934. It called for a new ele-

[22] Crowley Municipal Minutes, V, 87.
[23] *Ibid.*, VI, 119.
[24] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[25] Crowley Municipal Minutes, VI, 357.
[26] *Ibid.*, 383.
[27] Crowley Ordinance Book III, No. 473, p. 90.
[28] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 4.
[29] *Ibid.*, p. 1.
[30] *Ibid.*, p. 6.

mentary school building in North Crowley and additions to the existing school plants at Ebenezer and Lyons Point. The Public Works Administration contributed an additional $98,000 for the project. In July, 1936, about $384,000 in bonds was voted when the taxpayers approved placing the parish school board's bonded indebtedness on a parish-wide instead of a district basis, and approving the additional sum.[31]

The Crowley projects included in the building program were: first, the construction of a four-room modern addition to the South Crowley school plant and the erection of a new elementary school building in North Crowley; second, repairs to the North Crowley high school building; third, construction of a gymnasium and the improvement of the athletic field in North Crowley; and, fourth, the erection of a new frame building at the Crowley Industrial School, a school for colored students. The work in South Crowley was completed by September, 1937. In May, 1938, the remainder of the construction program in Crowley was completed, and it was dedicated by Dr. James Monroe Smith, then president of the Louisiana State University. The new elementary school building was called the Hawsey Memorial School and the athletic field was named for J. W. Mobley.[32] Both men had been for many years prominent in school affairs of Acadia Parish.

While this construction work was going on the school board decided to erect an office building for its own use. It had been housed in the parish courthouse where it was crowded for room. In 1937 it purchased a site at the corner of Sixth Street and North Parkerson Avenue and appropriated $10,000 for a building.[33]

In July, 1938, an election was held in an attempt to levy an additional one-mill tax for a bond issue, and to procure additional W. P. A. grants, to aid in the completion of the Acadia Parish school building program. The movement was defeated. The city of Crowley voted in favor of the proposition, but it was defeated in the parish as a whole.[34]

In September the Crowley *Daily Signal* carried the following invitation: "The North Crowley elementary building has been declared unsafe for use. You are invited to inspect the school

[31] *Ibid.*, p. 1
[32] *Ibid.*, May 6, 1938.
[33] *Ibid.*, Oct. 13, 1937.
[34] *Ibid.*, July 6, 1938.

plants from 12:30 to 3:00 Tuesday, view the condemned structure and then make your decision as to how you will vote in the school bond election to be held in Crowley, Tuesday September 27."[35]

The result of the election was the passage of the issue by large majorities, the popular vote showing a majority of 163 and the property vote a majority of $440,420. The plan was to build a new high school building and to use the old one as an elementary school. No work was started immediately as the school board was attempting to secure a P. W. A. grant to aid in the construction. Final approval on the projected school building was given in August, 1940. It was to be a structure costing between $346,000 and $350,000 and was to be erected on the Northern Avenue site. The plans were drawn, work on the foundation plans and specifications were under way and the actual construction could begin when the State W. P. A. administrator gave the word.[36]

Almost as soon as schools for white children were established in Crowley, schools for Negro children were also founded. Minutes of one of the first school board meetings reported a school for Negroes in operation in the town.[37] It was a one-room, one-teacher school, and in 1899 was enrolling only eighteen pupils. However, this building with an addition remained the only public school for Negroes until 1906. In that year W. W. Duson traded five vacant lots for the one on which the school building was located, and the next year a two-story frame building was erected.[38] The city council appropriated $750 toward the building fund,[39] H. C. Ross, principal of the Negro school, raised $300 among the colored people, and the school board provided the remainder.[40] The school continued to grow in teachers and enrollment and was given donations from time to time by the city council. By 1915 a home economics building was built and the entire block on which the school was located was purchased by the Negroes. In 1917 another block was purchased for $700, the school board paying $400, and the remainder being raised by the colored citizens.[41]

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[35] *Ibid.*, Sept. 19, 1938.
[36] *Ibid.*, August 8, 1940.
[37] *Ibid.*, Oct. 4, 1937, Educational Section, p. 3.
[38] *Ibid.*
[39] Crowley Municipal Minutes, IV, 364.
[40] *Crowley Daily Signal*, Oct. 4, 1937, Educational Section, p. 3.
[41] *Ibid.*

Then a bond issue for $13,000 to aid in the improvement of the Negro school was voted in Crowley. With this money a new brick building was constructed, which was ready for occupancy in 1931. The $750,000 parish-wide building program included the remodeling of the home economics building and the erection of a new six-room structure costing $7,200 at the Crowley Industrial Training Institute.[42] The school now employs thirteen teachers and has an attendance of over five hundred pupils.[43]

Besides the public schools there has been a parochial school in Crowley since 1899. In that year Father P. J. Van Alfen, the parish priest, called five nuns of the order of Perpetual Adoration from New Orleans to come to Crowley and teach the Catholic children.[44] Catholics were not very numerous in the new town and five nuns would be enough. At first the church building was also used as a school, and a nearby frame building housed the nuns. But by 1902 the cornerstone of the convent building was laid, and in the same year the sisters began a boarding school for young ladies only,[45] which is still in existence. A high school division was inaugurated soon afterward.[46] In 1912 the new church building was dedicated and the old frame building was thereafter used for school purposes exclusively.[47] In 1925 St. Michael, as the school was named, was approved by the State Department of Education[48] and became Crowley's second state-accredited high school.

For many years the Catholic educators and parents had dreamed of a modern up-to-date plant. The high school classes were taught in the convent and the old frame building was inadequate for the elementary grades. Funds was raised, principally by bazaars, and it was not until 1935 that the sum collected in this way added up to enough so that actual construction work could begin. In December, 1936, Bishop Jules B. Jeanmard dedicated the new $23,500 educational unit and called its construction the greatest stride forward in the large Lafayette Diocese during the year.[49] Another similar unit is being planned. St. Michael now has about fifteen nuns who teach there and an enrollment of about four hundred and fifty students.[50]

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[42] *Ibid.*
[43] *Ibid.*, Sept. 16, 1940.
[44] *Ibid.*, Oct. 4, 1937, Educational Section, p. 8.
[45] *Ibid.*
[46] *Ibid.*
[47] *Ibid.*, p. 4.
[48] *Ibid.*, p. 8.
[49] *Ibid.*
[50] *Ibid.*, Sept. 16, 1940.

In addition to St. Michael's there is another parochial school in the city. St. Theresa's school for Negro children of the Catholic faith is conducted by the Sisters of the Holy Ghost who teach a standard seven-grade course. After St. Theresa's church was completed in 1922, work was begun on the school. It was ready for occupancy in 1924[51] and now has an enrollment of over two hundred and fifty pupils, with five sisters in charge.

Just recently a Trades School has been erected in Crowley. When the state began to establish such schools the citizens of Crowley decided to try to get one located there. On March 3, 1938, both the city council[52] and the parish police jury[53] passed resolutions urging Governor Leche and the members of the Legislature to consider Crowley as a site for a trades school. Other organizations—Lions, Rotary, and the Association of Commerce—followed suit. The *Signal* put forth the following arguments: "Crowley is the center of Southwest Louisiana, and ideally located for such a school. Some 50,000 people live within a radius of twenty miles of Crowley. Lafayette had a new charity hospital and Southwestern Louisiana Institute. Lake Charles desires a branch of Louisiana State University and both would probably favor Crowley as a site."[54]

The bill entitled "An act to create and establish a trades school for the education of white people of the State of Louisiana, in Crowley, Acadia Parish, Louisiana, under the supervision of the State Board of Education; to provide for the building, equipping, and maintenance of said institution and repealing all laws in conflict herewith," was introduced by N. S. Hoffpauir and passed by the House on June 1, 1938, by a vote of 88 to 0. It was then sent to the Senate. No appropriation had been provided in the bill since it was believed that money from the general fund could be obtained. When this was found to be impossible, Senator Ogden amended the bill in the Senate to provide the necessary funds. It passed the Senate on June 21, by a vote of 35 to 0 and was returned to the House. After passing the House with amendments on June 22, it received executive approval.[55] The act provided for the establishment of a trades school in Crowley, to be called the Southwest Louisiana Trades School, on a site provided by the Acadia Parish school board. An appro-

[51] *Ibid.*, Oct. 4, 1937, Educational Section, p. 3.
[52] Crowley Municipal Minutes, VI, 590.
[53] Acadia Parish Police Jury Proceedings, Book VI, p. 352.
[54] *Crowley Daily Signal*, March 9, 1938.
[55] *Louisiana House Calendar*, 1938, p. 123; *Louisiana Senate Calendar*, 1938, p. 275.

priation of $50,000 from the general fund for the fiscal years 1938-1939 and 1939-1940 was made to aid in acquiring, building, equipping, and maintaining the institution.

By July 20, 1938, it was decided that the Trades School would be located on the southeast corner of the site, with a 160-foot frontage on Avenue D and a 300-foot depth. Application for P. W. A. aid was to be made and it was hoped that a structure costing about $45,000 could be erected.[56] In September, 1938, the Public Works Administration approved a grant of $37,800 for the Crowley trades school,[57] and the building was ready for use in the following year. Both night and day classes were scheduled and courses in mechanics, building trades, commerce, electricity, welding, and machine shop practice were offered.[58] By October, 1939, eighty-nine full-time students and one hundred and nineteen night school students were enrolled.[59] And, by the following February the total enrollment had increased to three hundred and sixty.[60] In January, 1940, classes in blueprint reading and drafting were added.[61] The school is maintained and operated by the State Department of Education and no tuition or charges are made to the students.

Newspapers

The beginnings of the Crowley *Daily Signal* date back to 1886, nearly a year before Crowley itself was founded. Two men, George Addison and C. W. Felter, were instrumental in starting what later became the daily paper of Crowley. They began publication of a weekly newspaper in the town of Rayne and did "job printing" on the side. Rayne, they thought, was large enough to support a newspaper. On March 13, 1886, the first issue of the *Rayne Signal,* consisting of a single sheet of two pages, was printed. The circulation of the paper built up rapidly and soon between 300 and 400 copies were being printed. In September, 1886, Addison and Felter sold their paper to W. W. Duson for a little less than $1,000, Addison remaining on the staff to help edit the paper.[62]

[56] *Crowley Daily Signal,* July 20, 1938.
[57] *Ibid.,* Sept. 14, 1938.
[58] *Ibid.,* May 24, 1939.
[59] *Ibid.,* Oct. 9, 1939.
[60] *Ibid.,* Feb. 29, 1940.
[61] *Ibid.,* Jan. 11, 1940.
[62] *Ibid.,* Oct. 4, 1937, *Signal* Section, p. 1.

In one of its early issues the *Signal* advocated the division of St. Landry Parish, arguing the advantages of such an act. The results of the election held in October, 1886, showed that the divisionists had won.

Hardly had this issue been decided when the struggle over the location of the parish seat of the new Acadia Parish began, the *Signal* being in favor of Rayne as the most suitable site. Ignoring Crowley completely until February, 1887, a month or so after the new village had been founded, the newspaper then mentioned it in a news item.[63] However, the following week it published a notice from the Southwest Louisiana Land Company offering $5,000 cash and a donation of a "lot of ground at the intersection of Parkerson and Hutchinson Avenues, if Crowley is made the seat of justice."[64] The *Signal* still regarded Crowley as an enemy of Rayne and printed many editorials warning the citizens against the new town. After the election, when it was found that Crowley had won, it said that Rayne had lost because of a "few old fogies who have tried to arouse our worthy French citizens against the English element."[65]

Meanwhile Mr. Duson was making plans to move his paper to Crowley. In 1886 A. R. Burkdoll, who owned a small weekly newspaper in Minnesota, had gotten in touch with Duson and they formed a partnership, agreeing that Burkdoll was to have charge of the *Signal* after its removal to the parish seat of the new parish. In October, 1887, the Burkdolls arrived in Crowley and plans were made to move the newspaper there. A frame building was soon erected and the plant was moved during the latter part of December. The first issue of the *Crowley Signal* was printed in the early part of January, 1888.[66]

Burkdoll, as editor of the *Signal*, found himself obligated to carry on its feud with the *Rayne Sentinel*[67] edited by Will Chevis. The feud had begun during the parish seat fight when Chevis had charged the *Signal* with insincerity in its proposal of Rayne as the parish seat. Burkdoll was well suited for the job, being noted for his vitriolic and sarcastic use of the English language. Chevis also possessed a fine vocabulary and knew how to use it to the best advantage. The feud continued until it

[63] *Ibid.*, p. 5.
[64] *Ibid.*
[65] *Ibid.*
[66] *Ibid.*, p. 6.
[67] The *Rayne Sentinel* had been founded in Rayne a few months after the establishment of the *Rayne Signal*.

reached the point where Chevis challenged Burkdoll to a duel. Burkdoll took his family back to Minnesota, returned and answered the challenge in the *Signal*, stating that, since dueling was not only a relic of barbarism but also against the law, he would not fight. The "Regulators" were pretty strong at that time in Acadia Parish and they sent word to Burkdoll that he must either give Chevis satisfaction or leave the country. He stayed on for some time sleeping with an arsenal at his side, but finally concluded that, as his family refused to come to Crowley to live, he might better sell out and leave.[68]

One of the important functions of the Crowley *Signal* during the time Burkdoll was its editor was the advertising of Louisiana, particularly the southwestern part. The paper had a large circulation in the northern and western states and was constantly telling of the advantages to be found in Louisiana where everything grew with little or no attention, and where there was no cold weather. In August, 1888, a profusely illustrated issue was brought out to encourage immigration into the section. In describing this issue the Alexandria *Town Talk* said: "It is an 8-page 7-column paper and contains many wood cuts of public buildings and private residences in Acadia Parish. A complete write-up of the parish and Crowley is not neglected. The best compliment we can give *The Signal's* Immigration Edition is that it is much better than *"Town Talk's* edition of September 1."[69] Other similar issues were also put out.

In 1893 the *Signal* was regarded as one of the best edited weekly publications in the state. It had added a column and was taking features, including serial stories. In that year Luther C. Scott became the publisher, with W. W. Duson still proprietor and editor. Scott worked for Duson until 1896 when he bought the plant.[70] A new paper made its appearance in Crowley in the autumn of 1896, during the presidential campaign. Scott charged that the *Creole American* had been brought in to oppose the *Signal* in the campaign and was nothing but the mouthpiece of a political party. He later took over the paper and added its subscription list to that of the *Signal*.[71]

By that time the *Signal* had been in existence for twelve years as a weekly paper. It had grown from a one-page political

[68] *Crowley Daily Signal*, Oct. 4, 1937, *Signal Section*, pp. 4, 5.
[69] *Ibid.*, p. 5.
[70] *Ibid.*, p. 8.
[71] *Ibid.*, p. 1.

news organ to a strong and healthy paper respected by all who were familiar with it. Scott now determined to make it a daily paper, and on September 1, 1898, the first edition of the Crowley *Daily Signal* was published. This was a big jump, but Scott was determined to make it a successful one. Among the first things he had to do to make the venture a success was to purchase a typesetting machine. It was delivered the latter part of September, 1899. A new and faster press and a folding machine were also added to the *Signal's* equipment. Then more hands had to be employed, including an experienced linotype operator. The addition of Union Associated Press service, a forerunner of the Associated Press of today, served to improve the quality of the paper.[72] All of this added greatly to the expense of publishing the news organ.

In spite of Scott's high hopes, success did not come immediately. Business conditions at that date were not as good as usual, and this affected the advertising in the newpaper. Short rice crops and the rotating years of low prices for rice added to the problem. Then in 1899 John T. Nixon came to Crowley and began publishing the Crowley *Daily News* in competition with the *Signal*.[73] For four years the fight continued until Scott became convinced that buying the *Daily News* would be more profitable than further competition. After the purchase of his paper, Nixon joined the staff of the *Signal* as business manager.[74] Scott was also publishing the *Rice Journal and Southern Farmer*, a monthly magazine devoted to agriculture.

Things ran smoothly until 1909 when Nixon died. Scott, having other more pressing business, sold the *Signal* to a group of Crowley men which included Percy Lawrence, C. J. and T. B. Freeland, and the First National Bank. For a time, while this group owned the paper, Frank Randolph was the editor. He is said to have been the most competent editor that the *Signal* had, and he won for the paper a distinguished place among those of the state. Randolph resigned to become publicity director for the American Rice Growers Association.[75]

In 1919 W. W. Duson again bought the paper and transferred it to the company of W. W. Duson, Incorporated. His son, Will Duson, took over the management of the paper.

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[72] *Ibid.*
[73] *Ibid.*, p. 2.
[74] *Ibid.*
[75] *Ibid.*

In 1920 the Progress Publishing Company, Incorporated, of Opelousas began to publish the *Daily Progress* in Crowley. This was the third newspaper to attempt to compete with the *Signal*. Its fate was that of the others. After it had been published for twenty months, L. A. Andrepont, its editor, announced that it had been sold to Duson who had "purchased the good will and subscription list of *The Progress*."[76] Duson retained control of the paper until 1929, when arrangements were made whereby the Signal Publishing Company, Incorporated, of which the *Signal* was a part, was to be taken over by James A. Skewes and Orville E. Priestly on January 1, 1930, with Priestly as editor of the paper. At the same time Skewes and Priestly bought the *Acadian*, a semiweekly paper founded in 1923. It was combined with the Crowley *Weekly Signal*, which had been published in connection with the Crowley *Daily Signal*, and it is still published today under the name of the *Acadian-Signal*.[77] It is still a weekly paper and has been for some time the official journal of the parish.

In 1935 the publishers decided that, as the following year would mark the fiftieth anniversary of the existence of the *Signal*, a celebration was in order. Then it was found that the city of Crowley was planning to celebrate its half-century of growth which would end in 1937. The decision was made to defer the *Signal's* plan and celebrate with the city, although the paper would be fifty-one years old at the time. During 1936 and until October 5, 1937, the date set for the celebration, the *Signal's* staff worked gathering news, reading old files of the paper, talking with old residents, and searching for all the data they could find, so that when the Golden Jubilee Edition was printed it would contain a complete story of Crowley and Acadia Parish.[78]

On October 4, 1937, the day before the celebration, the special edition was printed. The *Signal* claimed it was one of the largest editions ever issued in the state outside of New Orleans, Shreveport, and Baton Rouge. It consisted of one hundred and twenty pages, divided into seven sections: the city section of forty-eight pages, the parish section of twenty-four pages, the industrial section of sixteen pages, and the agricultural, *Signal*, educational, and news sections of eight pages each. These various sections tell the story of the growth and development of Acadia

[76] *Ibid.*
[77] *Ibid.*
[78] *Ibid.*, News Section, p. 1.

Parish from the time of its creation to 1937, and of the city of Crowley from the time when the Duson brothers first planned its establishment to 1937.[79]

Most of the comic strips and special features to which the paper subscribes wrote special greetings to the Rice City of America and to the *Signal* congratulating them on their fifty years of growth. This was brought about chiefly through the influence of Will Duson, former editor of the *Signal* and now with the Associated Press in New York City.[80]

The *Signal* today has a crew of twelve employees, a circulation of about 2,400, and a reading public of at least 10,000 persons. It has a complete file of its papers from the first issue in March, 1886, to the present time, with the exception of those for the year March, 1888, to March, 1889.

Some of the chief issues for which the *Signal* has fought during its fifty-five years of existence are:[81]

The creation of Acadia Parish.
The choice of Rayne as the new parish seat.
The encouragement of immigration into the section.
The establishment of rice mills in Crowley.
The re-passage of an anti-gambling act for the town.
The lottery as a means of raising money for schools, levees, etc.
The creation of a "Board of Trade" for Crowley.
The establishment of a Fire Department.
The building of good roads.
The improvement of educational facilities in the town.
The establishment of an electric light and water works plant.
The need of a building and loan firm.
The diversification of agriculture in Acadia.
The creation of a "reading room."
A state-wide school tax.
The establishment of the flash telephone system.
The securing of federal aid for paving Crowley's streets.
The location of a trade school in the city.
The establishment of a municipal airport.
Better drainage for the city and for all southwest Louisiana.

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[79] *Ibid.*
[80] *Ibid.*, pp. 1, 8.
[81] *Ibid.*, *Signal* Section, pp. 2, 8; Oct. 5, 1937-Dec. 31, 1940, *passim.*

Churches

The earliest church to be organized in the new village of Crowley was the Methodist Episcopal Church, South, in 1889. W. W. Duson, who donated land to all the schools and churches, gave the lot upon which the first building was located. A small loan from the Board of Church Extension enabled Mr. Duson to erect the structure at the intersection of Avenue I and East Third Street. This building was used until 1904 when a movement was begun to rebuild or improve it.[82] However, a new church was not built until 1913, when the present structure was erected. It is a large red brick building containing a commodious auditorium, with additional rooms for the different Sunday School classes. The basement is used by the different departments as classrooms and as a recreation room. This building served until the late 1930's when it became so badly in need of repairs that it was condemned, and for a time the congregation met in the public school building. A new building was discussed, but it was decided to repair the old one. This has been done and it is now again in use. Soon afterwards the parsonage was rebuilt.[83] Rev. G. W. Pomeroy is the present pastor.

The Central Methodist Episcopal Church was begun only a few months after the Methodist Episcopal Church, South, being organized by W. H. Cline, superintendent of missions. The first church edifice was located on East Fourth Street. In 1892 a site was purchased at the corner of East Fifth Street and Avenue G and a larger building was erected. Due to the great number of Northern people who came to live in Crowley, the church edifice soon became too small. It was rebuilt in 1903 at a cost of $3,000.[84] For a time this church flourished, but as the flow of immigrants from the North and West began to drop off the membership of the church began to decline. By the early 1900's the congregation had become so small that it was no longer self-supporting. The church was then disbanded and most of the members affiliated themselves with the Methodist Episcopal Church, South, or the Presbyterian, Christian, or other Protestant churches.[85]

The history of the Catholic Church in Crowley dates back to the foundation of the town. Most of the original settlers of the section were Acadians and devoted to their church. Prior to the

[82] *Crowley Signal*, Jan. 30, 1904, p. 20.
[83] Interview with Mrs. Mattie Kennedy, Society Editor of the *Crowley Daily Signal*, June 28, 1941.
[84] *Crowley Signal*, Jan. 30, 1904, p. 21.
[85] Interview with Mrs. Mattie Kennedy, June 28, 1941.

time that Crowley was founded the section had been under the ecclesiastical jurisdiction of Rayne. When the new town was laid out by the Dusons, a square of ground was deeded to Archbishop Jansens as a site for a church. As soon as the building was erected, Crowley was added to the parish of Father A. Thebault, the pastor of Iota, as a mission known as St. Michael. Three years later this was made a separate parish. In 1897 Father Geens was appointed as the first resident priest of this parish but was compelled to resign in the following year because of ill health. Father P. Van Alfen, appointed as his successor, succeeded in getting nuns from New Orleans to come to Crowley to teach the Catholic children. They established a convent and an academy.[86] The congregation was growing so rapidly that by 1912 during Father Isenberg's pastorate they were enabled to erect and dedicate a new brick church. Father Isenberg remained until 1929 when he was called to Lafayette and Rev. George Mallo, the present priest, came from Jennings to take charge of St. Michael's in Crowley. One of his great achievements was the erection of the modern St. Michael's School, which was dedicated in 1936. It is ranked as one of the best in the state for scholastic achievements and educational methods. There is also a colored Catholic church and school called St. Theresa's, in charge of the Josephite Fathers with Father Hanks as pastor.[87]

The first Baptist church in Crowley was organized in 1889 as the First Baptist (Missionary) Church with T. B. Harrel as pastor. Only eight signatures were on the first church roll. Services were held in a room of the old Crowley House, where a chapel had been fitted up. Harrel resigned to go to Ruston and left the group without a pastor until they succeeded in getting Rev. William Billro to come. By that time several new Baptist families had moved into the town. A fund of $300 was raised, some lots on Avenue G were secured, and a church was erected. It soon proved too small and they sold the abovementioned lots and purchased the three corner lots at Avenue G and Fifth Street, where the church is located today. Soon afterwards a movement to build a new parsonage was inaugurated and a commodious building was erected at a cost of $1,500. By 1904 the congregation numbered about two hundred.[88] Since that date it has continued to grow steadily. The Rev. H. J. McCool came to Crowley

[86] *Crowley Signal*, Jan. 30, 1904, p. 20.
[87] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 36.
[88] *Crowley Signal*, Jan. 30, 1904, p. 21.

on March 1, 1926, and served longer than any other Baptist pastor in Crowley. During his years of service he saw the congregation grow from one hundred and eighty to over four hundred and sixty and saw the erection of a spacious twelve-room annex for departmental work.[89]

The Presbyterian Church in Crowley was founded in the face of great obstacles, since there were only about seven members at first. Beginning as the result of an evangelistic meeting held by Dr. H. Y. Allison and Dr. George Fraser in 1890, it grew rapidly until by 1904 it was one of the largest congregations in the city.[90] For many years the members had been working toward the erection of a new church, and this dream was realized in 1928 when contracts for a new building were awarded. Actual construction was started in the spring of 1929, with E. E. Rabalais and Son as contractors and W. T. Nolan of New Orleans as architect, the total building cost being about $85,000. An electric pipe organ was later purchased and installed. The present membership of about three hundred is served by Rev. J. Malcolm Murchison as pastor.[91]

In the early summer of 1893 the few Episcopalians in Crowley asked Rev. M. Hart, the rector of the Episcopal Church in New Iberia, to conduct services in Crowley. The first service was held on Trinity Sunday. From this early beginning came the present Trinity Episcopal Church, with Reverend Hart continuing to hold services in Crowley until Easter Sunday, 1894. After he left the church remained without a pastor for many years. In February, 1900, the building at the northeast corner of Parkerson Avenue and Court Circle was erected and is still in use today.[92] In 1935 Rev. Julius A. Pratt was appointed priest in charge and in the following December he was fully instituted as Rector. Two years later the wardens and vestry of the Trinity Church petitioned the annual council of the diocese for admission as a parish. The petition was granted and Trinity was elevated from the status of a mission to that of a self-supporting parish.[93]

In 1893 the German Lutheran families in Crowley began to meet for services. Having no church building, they held their first services in the Crowley House with about twelve families in

[89] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 38.
[90] *Crowley Signal*, Jan. 30, 1904, p. 21.
[91] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 32.
[92] *Crowley Signal*, Jan. 30, 1904, p. 20.
[93] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 7.

attendance. In May, 1893, Rev. J. F. W. Kassmann of Lake Charles established permanent preaching places, with some forty-five baptized and six communicant members. By 1895 a church building had been erected at the corner of Avenue F and West Eighth Street. A parochial school which had about twenty-eight children in attendance was established by Rev. H. Studtmann who became pastor of the church in 1900.[94] The school has been discontinued. The present pastor, Rev. P. J. Schmidt, came in 1919 and has continued to serve since that time. He also conducts services at Iota and is regularly employed at the Crowley post office, besides performing his ministerial duties.[95]

In October, 1900, the Rev. Charles E. Dunlap, state evangelist, visited Crowley and preached for one week to members of the Christian Church. At that time the site for the present Christian Church had been purchased, but no church organization had been perfected. In 1901 Rev. J. L. Haddock, then state evangelist, held a meeting in Crowley. At the close of this meeting Rev. Claude Jones organized the First Christian Church of Crowley and W. O. Stephens was called as its first minister. Six months later the church edifice was built on the corner of Hutchinson and Avenue G and dedicated. The congregation grew rapidly and before long it had become a leading influence in the community. In 1903 there were fifty-two new members added to the church, one for each Sunday in the year. In addition every bill contracted for building or any other purpose had been paid.[96] Crowley has twice been host to the State Convention of Christian Churches, in 1902 and in 1912. She has given one minister to the cause, Rev. Earl Gray.

The latest religious group to be established in Crowley is the Christian Science Church. Two students and members of the Mother Church, Mrs. Sadie Saal Meyer and Mrs. Ruby Copes Ellis, rented the Knights of Pythias Hall and publicly announced a Christian Science service for Sunday, July 5, 1931. The first service drew a fair attendance and from that time on a regular Sunday service has been held. In addition, Wednesday night testimony meetings have been instituted. In November, 1934, the by-laws of the society together with a properly signed application were presented for recognition of the group as a society

[94] *Crowley Signal*, Jan. 30, 1904, p. 21.
[95] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 30.
[96] *Crowley Signal*, Jan. 30, 1904, p. 21.

and branch of the Mother Church. In March, 1935, such recognition was received and the organization became an acknowledged branch of the Mother Church, the First Church of Christ, Scientist, of Boston, Massachusetts.[97]

Lodges

The first lodge to be organized in Crowley was Crowley Lodge No. 85, Knights of Pythias. It was first instituted in Rayne as Rayne Lodge No. 85, but on June 6, 1888, when it had only twelve members, it was moved to Crowley. A special charter was granted the organization in 1901, and it soon grew in membership until it became one of the largest fraternal orders in the city.[98]

The Masons were instituted in Crowley in 1892 when Crowley Lodge No. 342, Free and Accepted Masons, was organized on September 12, with a membership of fifteen. By 1904 it had sixty-eight names on its roll, among which were those of some of the most prominent and influential residents of the community.[99]

Two lodges of Odd Fellows were established in Crowley in the same year, the first being organized as Pioneer Lodge No. 67 on January 21, 1895, with five charter members. The second, Acadia Lodge No. 68, began on May 19, 1895, with eight members. In 1899 a fire destroyed all their furniture, paraphernalia, etc., but the records were saved. By 1902 this lodge had the largest membership of any in the state, and by 1904 it numbered one hundred and twenty persons.[100]

The year 1895 seems to have been a good one for the formation of lodges, for there were four organized in Crowley in that year. In addition to the two Odd Fellows lodges, Faropolis Lodge No. 27, Ancient Order of United Workmen, was instituted on May 10, 1895, with eleven charter members. It was at first under Texas jurisdiction, but in 1898 the Louisiana lodges were placed under a separate jurisdiction. By 1904 this lodge numbered forty-five members.[101]

The fourth lodge to be organized in Crowley in 1895 was Magnolia Camp No. 6, W. O. W., instituted April 16 with fifteen

[97] *Crowley Daily Signal*, Oct. 4, 1937, City Section, p. 32.
[98] *Crowley Signal*, Jan. 30, 1904, p. 19.
[99] *Ibid.*
[100] *Ibid.*
[101] *Ibid.*

members. The first two years were hard ones, but by December, 1897, the lodge was gaining rapidly. In 1904 it had a membership of ninety and its finances were in excellent shape.[102]

The third Odd Fellows lodge began on February 18, 1899, with the institution of Crowley Encampment No. 17, composed exclusively of members from the subordinate Odd Fellows lodges. There were twelve charter members. In 1904 fifty-five names were on its rolls and the prospects for a canton lodge were very bright.[103]

The existence of Elks in Crowley dates from December 18, 1901, when the lodge was inaugurated with twenty-nine charter members. Members of lodges in New Orleans, Baton Rouge, New Iberia, Shreveport, and Orange, Texas, came to help install the Crowley Lodge of the B. P. O. E.[104]

The local branch of the Catholic Knights of America was organized on March 27, 1902. Its purposes are to maintain the Catholic faith among its members and do deeds of charity.[105]

The Potomac Tribe No. 42, Improved Order of Red Men, was not organized until May 9, 1903, but by the following January it membership had increased from the original thirty-two members to one hundred and twelve, making it one of the largest lodges in the community.[106]

Of the lodges formed in Crowley by 1904, all are still in existence today except two. The Improved Order of Red men had only a brief existence, being disbanded comparatively early. The B. P. O. E. lodge lasted until a few years ago when it was discontinued because of lack of interest. Of the others the Odd Fellows and the Masons are the most active and have the largest memberships. They have also organized the women's circles in their lodges, the Rebeccas and the Eastern Stars, respectively. For a time the Woodman's Circle, the women's auxiliary of the W. O. W., was in existence. During the past two years it had been dormant, but was reorganized early in 1941. The depression of the 1930's hit all the lodges pretty hard, the Knights of Pythias recovering quickest from its effects. They have their own hall and conduct their meetings in the old North Methodist church

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102 *Ibid.*
103 *Ibid.*
104 *Ibid.*
105 *Ibid.*
106 *Ibid.*

building which they secured when the church disbanded. The Catholic Knights of America has always been a strong organization and it continues to flourish.[107]

The State Odd Fellows Orphans Home is located just a mile north of Crowley. It was secured for the city largely through the efforts of John T. Nixon, former editor of the Crowley *Daily Signal.* Plans for the building were discussed about 1906, but the movement did not actually get under way until 1908. William Davidson gave twenty acres of land, to which was added another twenty acres donated by W. W. Duson. The cornerstone of the building was laid in 1908, and the structure, a $20,000 building with about thirty-two rooms, was completed and dedicated in March, 1911. The land around the grounds is used as a farmyard, pasture, and private cemetery. Mr. and Mrs. J. C. Bennett are in charge of the Home today and have been for many years.[108]

Civic Organizations

Crowley, like many other cities, has had for many years an Association of Commerce whose chief duty was to promote the improvement of the town and advertise it and its businesses. Perhaps Crowley has been more fortunate than most cities in that its advertising began even before the village was incorporated. The Duson Brothers made one of their chief duties the advertising of it, not only over the state of Louisiana but throughout the nation, using advertisements in other papers, special editions of the *Signal,* and special excursions on the railroads that enabled the people to come and see for themselves that their claims were well founded. No other Association of Commerce was needed at first. Since then various organizations have been used—Board of Trade, Chambers of Commerce, etc. These usually flourished for a time and then died down only to receive a new spurt of energy and leap into action again. At one time, from 1925 to 1931, the city had a paid secretary to handle its civic affairs.[109] In 1937 the Association of Commerce had a board of directors which carried on the promotion of city affiairs, with a secretary-treasurer in charge of its office. It met twice a month at luncheons to discuss the problems of the community, and "despite the fact it does not receive the support which it deserves, nevertheless has been able to accomplish many fine things for

[107] Interview with Mrs. Mattie Kennedy, June 28, 1941.
[108] *Crowley Daily Signal,* Oct. 4, 1937, City Section, p. 11.
[109] *Ibid.*

the city," said the *Signal*.[110] Dissatisfaction with the support given the Association was manifested in the discussion of the formation of a Business and Professional Club which would carry on the work of the Chamber of Commerce. Both the Lions and the Rotary clubs were in favor of such an active organization.[111] At a meeting held on March 10, 1939, much enthusiasm and interest were displayed and a move to organize the proposed club was made. By March 14 the new club was ready to begin work, with Bruce Barousse being named president. Dues were set at $1.00 per month, payable quarterly in advance, and meetings were to be held on the second Tuesday night in each month.[112]

Two other civic clubs have been active in city affairs—Rotary and Lions. In 1920 the Crowley Rotary Club was formed and since has been an active civic organization. The Lions Club was organized in 1932, but due to the depression it disbanded for a time. It was reorganized in 1935 and has since continued to function. About a hundred business and professional men in Crowley hold membership in the two organizations which work together for the promotion of the growth of the city. They hold joint meetings at regular intervals so that closer cooperation is made possible. The Rotary Club has sponsored the gravel road to the Evangeline Oil Field, launched a softball movement, revived the community Christmas program, and undertaken the beautifying of Levy Park. They have promoted athletics in the High School, adopted the project of aiding crippled children, and helped to conduct the first clinic in the parish for that purpose. The Lions Club has also aided in promoting High School athletics and has as their major project the supplying of spectacles to those children who need but cannot afford them.[113] In 1940 they sponsored the Kryl Symphony which was given in the North Crowley High School and was "undoubtedly one of the most prominent and foremost American musical organizations to come to Crowley."[114]

One of the earliest organizations to be formed in Crowley was the Crowley Guards, a unit of the home guard. Since its formation Crowley has had, with the exception of a few years, a unit of militia, home or national guard located in the city. The

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[110] *Ibid.*
[111] *Ibid.*, March, 7, 1939.
[112] *Ibid.*, March 14, 1939.
[113] *Ibid.*, Oct. 4, 1937, City Section, p. 14.
[114] *Ibid.*, Oct. 30, 1940.

reasons for first forming such a unit are given in the *Signal* of April 30, 1898, as follows:

> The military spirit is becoming so strong in town that several of our young men in their eagerness to enlist to go to Cuba have made arrangements to join other commands now organized in other portions of the state. In order to prevent this scattering and having them absorbed in companies from other sections, it has been deemed best to organize a company or two in Crowley, elect competent men for officers and let them be drilled at home until their services may be needed in the field.
>
> If it becomes necessary for our young men to serve their country in the present war, they had better go in a body for mutual benefits in case of sickness or disasters from battle. So with this object all who desire to enlist will be enrolled at the sheriff's office beginning today.

Later in the year the company, which became known as the "Crowley Guards," was organized with W. N. Milton as captain, D. R. January as first lieutenant, and Frank Brooks as second lieutenant. The services of the company were then offered to the Governor of the State. In 1902 Company F, Louisiana State National Guard, was formed with Captain Stedman at the head. It was later disbanded, and not until 1915 was another company formed. Company B, First Louisiana Infantry, organized March 18, 1915, was composed of about seventy-five men. The year after its formation it was called into service during the Villa uprising in Mexico and was stationed first at Camp Stafford, near Alexandria, Louisiana, and later at San Benito, Texas. It did not see actual service, and was mustered out of federal service upon its return to Crowley in September, 1916. In April, 1917, Company B was called to the colors, became a part of the 39th division of the National Guard, and was known as Company B, 156th U. S. Infantry. It was soon thereafter split into two companies, B and I. Of approximately one hundred and fifty men who made up the two companies, two were killed during the war—Leon Lyons and Joseph George. Company B never saw service as a unit, being used only as replacements for various regiments in France.

After the end of World War I Crowley was without a National Guard unit until June, 1921, when the company was reorganized as Company B, 156th Infantry, Louisiana National Guard. It was called into active service during the flood of 1928, being

stationed at Red Cross on the Atchafalaya River. Sometime later the designation of the unit was changed, and it became known as Company I, 156th Infantry, Louisiana National Guard. It has served several times during floods at Sardine Point near Plaquemine, and in New Orleans and Baton Rouge on state duty.[115] Regular weekly drills are held, with monthly schools for officers, which give training in tactics, etc., being offered.[116] In November, 1940, the company was inducted into federal service and began a brief training period before they left for Camp Blanding, Florida, for a year's training. They were stationed in the Crowley Armory and were on duty all day. About one hundred and twenty-five officers and men from Crowley, Rayne, Iota, Estherwood, Kaplan, Gueydan, Abbeville, and surrounding sections composed the company.[117] On December 20, 1940, the company departed for their year's encampment at Camp Blanding, under the command of Lieutenant E. C. Andrus.[118]

Acadia Post No. 15 of the American Legion was founded in October, 1919, when a group of Crowley soldiers who had served in the World War banded together to establish a unit of the Legion. Only fifteen members signed the charter on October 10, 1919, but the membership increased rapidly and during the first year three hundred and fifty-six ex-service men had joined the organization.[119] The Crowley Post of the American Legion has many marks of credit on its record. Many of the past Armistice Day celebrations which drew huge crowds were staged by it. On September 1, 1929, the Post purchased the old Crowley Hospital from a group of doctors and has since conducted it as an American Legion Memorial Hospital. For many years it was the only hospital in Crowley and the vicinity. Acadia Post owns ninety percent of its stock, the balance being held by the physicians and surgeons who carry on their work there. The hospital has a capacity of about thirty beds and an estimated valuation of $30,000, including the nurses' home.[120]

In 1932 the Acadia Post organized a drum and bugle corps with forty-seven members. Only a few of the Legionnaires had had musical training, and they had no instruments or uniforms; but they had determination and the desire to make a good corps.

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[115] *Ibid.*, Oct. 4, 1937, City Section, p. 19.
[116] *Ibid.*, Oct. 18, 1937.
[117] *Ibid.*, Nov. 27, 1940.
[118] *Ibid.*, Dec. 20, 1940.
[119] *Ibid.*, Oct. 4, 1937, City Section, p. 39.
[120] *Ibid.*, p. 12.

They hired a director, gave dances in the city hall auditorium and raised enough money to purchase their instruments and uniforms and to outfit a junior corps composed of the sons of Legionnaires. This junior organization soon disbanded due to lack of interest. The uniforms of the drum and bugle corps consist of white trousers, blue overseas caps, and blue coats, with white Sam Brown belts.[121] The first year after their organization the corps attended the State Legion Convention at Lake Charles and were declared state champions. Then again in 1934 at Shreveport and in 1935 at Baton Rouge it ranked first in the state. In 1936 it was declared state champion for the fourth consecutive year, for no competition announced itself at the Monroe convention. During the next two years it remained the only active senior corps in the state. In the autumn of 1937 it took part in the parades which featured the celebration of Crowley's fiftieth anniversary. For several months after that event the corps was inactive, but it was reorganized in May, 1938, as it expected to attend the National Legion Convention in Los Angeles.[122] In September, 1938, some seventeen members left for California and the National Convention.[123] Since that time the corps has again been somewhat inactive.

Other projects of Acadia Post have been the sponsoring of American Legion junior baseball and lending assistance to the Legion Auxiliary in equipping a playground in Meyer Park.[124] In March, 1938, the Acadia Post celebrated its nineteenth birthday with three of the fifteen original charter members being present. During the eighteen years of its existence the average membership had been one hundred and forty-nine.[125] In 1938 an intensive membership campaign was launched in the hope that Louisiana could place first among the states and so win the honor of heading the parade at the National Convention to be held in Los Angeles. In May the *Signal* announced that Louisiana had placed second, with Mississippi again in the first place, but that Louisiana had jumped from seventeenth place in the preceding year to second place, with a total membership of 13,158.[126] The present post commander of Acadia Post is Nick Broussard, with I. B. Broussard as post adjutant. The latter was at one time post commander, and he has been adjutant since 1924.

[121] *Ibid.*, p. 10.
[122] *Ibid.*, August 29, 1938.
[123] *Ibid.*, Sept. 15, 1938.
[124] *Ibid.*, Oct. 4, 1937, City Section, p. 39.
[125] *Ibid.*, March 16, 1938.
[126] *Ibid.*, May 4, 1938.

The American Legion Auxiliary was organized in 1933 and it had done much for the betterment of the community. Taking for their field of service the divisions of rehabilitation, community service, child welfare and Americanization, the group has undertaken and completed projects in each division. Some of these were: the installation of playground equipment in Meyer Park; provision of necessary food and clothing for families of destitute ex-service men and arrangement of health corrections for their children; the adoption of a ward in the Veterans' Hospital in Alexandria to which they supply magazines, candy, cigarettes, Christmas boxes and special treats; and the awarding of four medals annually to the four students in the city schools who make the highest average in the study of American history. These gold medals are awarded to seventh graders in Crowley High, South Crowley, Saint Michael's, and Crowley Industrial Training School. A new project in their campaign for the development of good citizens has been the organization of a Girl Scout troop.[127]

To aid in the improvement of the schools and to bring about a better understanding between parents and teachers, a School League has been organized in each of the main schools in Crowley. The North Crowley Improvement League was the earliest, being organized about 1900. One of the chief things they accomplished was getting the blinding white paint that covered the walls of the schoolrooms changed to an eye-saving buff. Soon afterwards the name of the organization was changed to the Mother's League. Some of their achievements were: Having the campus graded to eliminate mudpuddles, offering free hot lunches to undernourished children, furnishing equipment to the football team, and adding books to the school library. Then the organization voted to join the State Parent-Teacher Association and has been a member of that association ever since. Much work toward improving the school has been accomplished. A school clinic has been established, between 150 and 175 children have been fed daily, Lyceum courses and Chautauquas have been brought to Crowley, the annual football dance has been sponsored, athletics have been promoted among the boys and girls, constant increase in the school library was aided, entrance of students in rallies and school meets has been urged, clothing for needy children was provided, and the children's Mardi Gras party and election of

[127] *Ibid.*, Oct. 4, 1937, City Section, p. 31.

their queen and her court as well as that of the adult queen and court for the Carnival Ball has been sponsored by this P. T. A. They have also worked with other school leagues and with the Parish Welfare and Health units. A pack of Cub Scouts is under their leadership. In addition they are aiding the high school band, raising the standards of school life even higher, stressing vocational guidance in the schools, and promoting a safety program.[128]

The South Crowley School League came into existence in 1908, shortly after the present South Crowley building was completed. It aided the principals in beautifying the school grounds, helped in getting manual training added to the curriculum and later supported the home economics department when it was also added to the school. It has sponsored school entries in the Tri-Parish Fair at Eunice, provided hot lunches to needy children, encouraged regular school attendance, given clothing to needy children, and sponsored the improvement of the school library.[129]

In 1917 Saint Michael's School League was formed with the announced purpose "to work for the betterment, the comfort and sanitary surroundings of the pupils." About forty were present at the first meeting. Officers were elected and it was decided to charge each member a fee of ten cents per month to take care of expenses. Since the only building Saint Michael then had was the old frame church building, the League resolved to work toward the building of a new one. This aim was realized in 1936 when the new building was dedicated. In addition to this the League paid for all repairs on the old wooden structure and provided additional equipment for the school when it was needed. With the exception of a library and the equipment in the science department, everything has been furnished by the League.[130]

The first women's club to be organized in Crowley was formed on January 19, 1900, when eighteen ladies met at the home of Mrs. J. B. Foley and organized the Crowley Women's Club. Their object as then stated was "the development of members in mental culture and the dissemination of helpful thoughts and ideas," and it is still practically the same today. Officers were elected, and a committee to draft a constitution and by-laws was appointed. Meetings were to be held on Friday after-

[128] *Ibid.*, p. 37.
[129] *Ibid.*, p. 10.
[130] *Ibid.*, pp. 36, 40.

noons at three o'clock. In 1901 the membership was limited to twenty-five, where it remains today. During that year the club joined the Louisiana Federation of Women's Clubs and sent Mrs. J. B. Foley and Mrs. C. S. Lovell to a meeting in Lake Charles. In 1903 Dorothy Dix, then working on the woman's page of the *Times-Democrat,* requested reports of the club's activities. These included plays, all-day meetings and picnics, and the exchange of courtesies with other Crowley women's organizations, in addition to their study program. In 1918 the club voted to do war work until the armistice was signed. The influenza epidemic of 1918-1919 interrupted the club's activities for a time, but they were soon resumed. On January 25, 1925, the members of the club observed its twenty-fifth anniversary. In 1928 they cooperated with the Delphians and the Legion Auxiliary in entertaining the Seventh District Convention of the Louisiana Federation of Women's Clubs. During the forty years of its activity as a study club, the organization has acquired a library of over two hundred and sixty-five volumes.[131]

A Crowley chapter of the Delphians was inaugurated in March, 1924, when twenty-five women met and organized the club, naming it the Attakapas chapter, after the tribe of Indians that once lived near St. Martinsville. In order to carry out the Indian theme the club members went to St. Martinsville and signed their charter under the Evangeline Oak. On April 8, 1925, they joined the Louisiana Federation of Women's Clubs. They have been active in civic affairs from the first, their first recorded project being the responsibility for the sale of anti-tuberculosis seals in the city.[132] They have aided in community welfare work and labored for the improvement of the city in general.

The next civic organization to be established in Crowley was the Philharmonic Society which has as its objectives the encouragement of local talent in music and art and the securing of entertainment numbers of more than ordinary merit for Crowley audiences. The organization was formed in 1903 and all holders of season tickets became members. A series of five recitals by Crowley artists, including voice, instrumental music, readings, and dancing, was arranged for the first year. Special programs were given during music week. A Baldwin grand

[131] *Ibid.*, p. 45.
[132] *Ibid.*, p. 38.

piano was purchased and placed in the City Hall Auditorium. Since then varied programs have been offered every year featuring native talent and outside talent such as Kenneth Rose, violinist; the Louisiana State University Concert Ensemble; a play by the Lake Charles Little Theatre group; and modern dances performed by Miss Ruth Price, dance director at Louisiana State University, and her pupils.[133]

An organization that includes not only Crowley but all the parish as well is the Acadia Parish Garden Club, formed in 1934 to enable local gardeners to exchange notes on the art of making things grow. The club agreed to follow a systematic program of study dealing with all aspects of gardening. In 1935 the club year book outlining the program won sixth prize in a national contest sponsored by *Horticulture,* a publication of the Massachusetts Horticulture Society. Flower shows, progressive meetings during which gardens of members are visited, trips to neighboring towns to see gardens, and exchanges of seeds and plants are all parts of the club's program. The annual dues are twenty-five cents and the membership has ranged from fifty to seventy-nine.[134]

Some of the more recent organizations in Crowley include the Louisiana State University Book Circle which sponsors monthly lectures and the circulation of new books among its members; the Camera Club founded in 1938 by camera enthusiasts; the Acadia Parish Softball League which is reorganized each year at softball time; and the Annual Cooking School sponsored by the United Gas Corporation.[135]

Perhaps the most important organization for the youth of Crowley is the Scout troops which are sponsored by various organizations. Crowley has had Boy Scout troops since about 1910, but their greatest development has come during the last decade. Jimmie Jones stands out as the leader in this movement in the city, having served for many years as Scoutmaster of Troop No. 7 sponsored by the Methodist Church when it was the only troop in Crowley. The second troop was sponsored by the Knights of Columbus. Then in 1936 two additional troops were formed, which are sponsored by the Rotary and Lions clubs. There is also a Negro Scout troop in Crowley. Included in the Crowley

[133] *Ibid.*, p. 45.
[134] *Ibid.*, Parish Section, p. 16.
[135] *Ibid.*, 1937-1940, *passim.*

district are troops at Rayne, Eunice, and Lyons Point. In 1937 there were between one hundred and one hundred and twenty-five active Scouts.[136]

The Girl Scout troop is of more recent origin, having been formed in 1937 under the sponsorship of the American Legion Auxiliary.[137]

Public Welfare Organizations

The present Parish Welfare Association really began back in 1920 when the police jury created an "Indigent Fund" to care for the needy families of the parish. They were allowed eight dollars each per month at first, but due to lack of sufficient funds the amount was reduced to four dollars per month. The depression complicated the problem greatly and resulted in the establishment in September, 1934, of a program requiring the services of a full-time welfare worker to be employed with the aid of the director of the Federal Emergency Relief Administration. In the same month the state legislature passed an act granting to the parishes the right to levy a tax of one cent per gallon on gasoline for the aid of needy unemployables who were not eligible for federal relief. In January, 1935, the Acadia Welfare Organization was set up with an advisory committee appointed by the police jury, with Mrs. Sibyl Andrus being appointed as its head. By 1936 the work was well under way and it was hoped that the organization would become a permanent one. The amendment to the Constitution, adopted in November, 1936, made the Public Welfare System state-wide. Federal aid was made possible through the state's participation in the Federal Security Program. Aid is provided for the needy over sixty-five years of age, for dependent children, for needy blind, for the sick and infirm, paralytics, orphans, and for the group from sixty to sixty-five years of age who are incapacitated or temporarily disabled. To obtain welfare aid one must show why he is not self-supporting. This requirement necessitates a case history on each person who applies for aid. Acadia Parish also participates in Child Welfare Service, a new activity developed in April, 1937, for the purpose of "establishing, extending, and strengthening, especially in predominantly rural areas, public welfare services for the protection and care of the homeless, dependent and neglected children, and children in danger of becoming delinquent." Upon

[136] *Ibid.*, Oct. 4, 1937, City Section, p. 23.
[137] *Ibid.*, p. 31.

learning that Child Welfare Service was available Acadia Parish immediately petitioned the State Emergency Relief Administration for a worker. In November, 1936, Miss Oleah Nauffray, a trained social worker with experience in child welfare work, was appointed by the state department to work in Acadia. During 1937 the W. P. A. turned over to the Public Welfare Unit the task of assigning workers for the various projects. The unit also has full authority to accept enrollment for C. C. C. camps in the state. In 1937 the unit had a staff of fourteen.[138]

Even though the Acadia Parish Health Unit was not established until 1935, it has made much progress. The establishment of the unit was made possible through cooperation of the State Board of Health with the local governing bodies, the school board and the police jury of Acadia Parish, each local organization and the state contributing to the financial support of the unit. In 1937 the staff consisted of doctor, assistant, nurse, and secretary. The first project undertaken by the unit was the sponsoring of an educational program. A series of motion pictures was shown in all the schools, at public gatherings and at local theatres, giving all phases of public health work. Then an immunization program was carried out and inoculations against typhoid, diphtheria, and smallpox were given. Programs for tuberculosis control, maternal-child health, and sanitation were instituted. The work of the unit is divided into six distinct phases: communicable disease control, tuberculosis control, maternal hygiene, infant-preschool hygiene, school hygiene, and sanitation. All of these have been and are being carried out in the parish. The travelling diagnostic clinc for tuberculosis patients has been used, separate cottages have been built for the patients' use, courses of instruction are offered midwives, the summer roundup attempts to examine all children entering school, selected grades of children in school are examined and their defects corrected, sanitary privies have been installed, and inspections of food handling establishments, dairies, and slaughterhouses have been made. A health trip to Baton Rouge and New Orleans is offered all children who have had their defects corrected.[139]

A Child Study Club was organized in Crowley in 1935 and has made an enviable record during its brief existence. It is a local branch of the Child Conservation League of America, and

[138] *Ibid.*, Parish Section, p. 10.
[139] *Ibid.*, p. 14.

it studies the child in relation to home and community. The club has raised funds to send school children on the Health Trip sponsored by the Acadia Parish Health Unit, and they completed in 1937 a successful program for supervised play during vacation months. The organization persuaded Dr. Carolyn Tiebout, psychologist at Louisiana State University, to give a series of lectures on child psychology to a group of Crowley women. It has also aided other organizations in civic affairs.[140]

For many years each separate organization such as the Red Cross, Salvation Army, Boy Scouts, etc., made a drive to raise money. So many were made that it became difficult to contribute to all of them. In 1937 the Community Chest program was begun in an attempt to unite all drives into one large one and then divide the funds raised among the several organizations, with definite set amounts to each. The Chest also agreed to handle charity work in Crowley and to relieve the Red Cross there. During the autumn of 1937 the first campaign was launched and it was hoped that about $6,000 could be raised.[141] However, this system did not work out very well and it has been discontinued.

In 1939 Heymann's store offered to donate toys to the annual Christmas baskets—to give each child a toy, candy, and fruit—and said they could serve about eight hundred children. When the day arrived for the distribution 1,200 children presented themselves and all were supplied.[142] About five hundred baskets were distributed. The next year, in spite of the loss due to the flood, Heymann's again gave away toys, cookies and fruit to about 1,000 children. No baskets were delivered that year.[143]

In 1940 the Red Cross assigned the parish a quota of $2,400 to be raised for war relief. By August 3, $1,927.18 had been secured, leaving $472.82 still to be raised. So Crowley held a circus, with hula-hula dancers (Crowley businessmen), boxing matches (white and colored), "Gold Nugget" (Days of '49 attraction), and many concessions. All kinds of food were served. It was a big success and raised $431.37 for the Red Cross Fund.[144] Crowley has always been ready to do all it could to aid those in need whether they reside within the city or not.

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[140] *Ibid.*, p. 18.
[141] *Ibid.*, Oct. 16, 1937.
[142] *Acadian-Signal*, Dec. 28, 1939.
[143] *Crowley Daily Signal*, Dec. 24, 25, 1940.
[144] *Ibid.*, May 5, 1940.

CHAPTER VI

SPECIAL OCCASIONS

The chief sport event of the year in Crowley is the Rice Belt Amateur Field Trials. These were started back in 1931 and have been held annually in December since then. In 1937 sportsmen from seven states came for the trials which were held on the Lawson Preserve. The events last for two days, beginning with the puppy stake and including the derby dogs, all-age stake, and the shooting dog event. Twelve trophies are offered—for first, second, and third places in each event.[1]

Crowley's outstanding celebration is the National Rice Festival which has been held annually in the autumn since 1937, the first having been held in connection with Crowley's celebration of the fiftieth anniversary of its founding.[2] This was on October 5, 1937, the birthday of W. W. Duson. At first no notion of a rice festival entered into the plans. It was to be simply a celebration of Crowley's fifty years of growth, honoring its founders. But when pictures were being taken to advertise the event and the rice industry, Governor Leche suggested that a rice festival be held in connection with the celebration.[3] This suggestion was approved by Crowley citizens and immediately put into practice. Therefore, on October 5, 1937, a three-fold celebration was held commemorating the birthday of W. W. Duson, the fifty years of Crowley's existence, and the progress of the rice industry of Southwest Louisiana.

The events began with a dedication and memorial ceremony held in Levy Park in honor of W. W. and C. C. Duson, at which Governor Leche offered a tribute to the Duson brothers and congratulated the city on its progressive spirit. Former Mayor Chappuis said that "the miracle of the creation out of nothing, of the parish of Acadia and the city of Crowley, inspires us today. The only thing that existed at the time of conception was the vision, the daring spirit and the industry of a Duson." At the conclusion of the ceremonies W. W. Duson's daughter and grand-

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[1] *Crowley Daily Signal*, Dec. 10, 1937.

[2] In 1927, Sol Wright and his daughter, Edith, had been crowned King and Queen of Rice at a carnival in Crowley. No other such celebration was held until 1937 when a new Rice Queen was chosen.

[3] *Crowley Daily Signal*, Oct. 4, 1937, News Section, p. 2.

daughter unveiled the ten-ton granite shaft with the bronze plaque which bears the following inscription:[4]

Dedicated October 5, 1937
To the Memory of
W. W. Duson C. C. Duson
1853-1929 1846-1910
Founders of Crowley
50 Years Ago on January 4, 1887

Next came the parade, with many floats and bands including those from Louisiana State University, Southwestern Louisiana Institute, Crowley, and the Crowley Drum and Bugle Corps, and the crowning of the queen of the rice festival. Miss Estelle Bonin of Rayne was selected from those competing. A mass marriage of about ten couples was to have been held, but only two couples appeared. After the marriage ceremony the other events got under way. The judging of the window displays gave first place to the exhibit of the First National Bank. The exhibit was made of oil-painted rice and divided into three sections, the first showing the origin of rice in China, the second the modern rice machinery of today, and in the center "Progress Through the Ages." Above it all was the picture of "Fortuna, Roman Goddess of Prosperity," with a horn of plenty.[5]

This first Rice Festival drew such a large crowd and was such a decided success that plans were made to continue it and hold another in 1938. R. E. Schlicher was re-elected president, Justin E. Wilson, named first vice-president, and I. B. Broussard re-elected secretary-treasurer of the festival-planning organization.[6] All during the year plans were made to make this second festival a bigger and better affair.

Each town was allowed to select two princesses from whom the queen was to be chosen. In order to select Crowley's rice princesses a contest was held, with the business firms sponsoring different girls. It culminated in the Festival Ball held on September 19, during which Misses Lois Bell and Hazel Dubus were chosen to represent Crowley.[7]

On September 27, 1938, Governor Leche issued a proclamation naming October 2-8 as Rice Week and urging all citizens of

[4] *Ibid.*, Oct. 6, 1937.
[5] *Ibid.*
[6] *Ibid.*, Oct. 27, 1937.
[7] *Ibid.*, Sept. 19, 1938.

the state "to encourage and aid in the celebration and especially to place this Louisiana product on their menus for the week and throughout the year."[8]

The second Rice Festival was held on October 4, 1938, with about 35,000 people in attendance. It began with a band concert early in the morning, included three parades, a rice-eating contest, a street dance, selection of the largest family, a *fais-do-do* ball, a Cajun band contest, general merrymaking, and ended with the queen's ball at night. Governor Leche, Harry Wilson, Louisiana Commissioner of Agriculture, J. C. Holten, Mississippi Commissioner of Agriculture, B. B. Cason, State Commissioner of Labor, Congressman DeRouen, and State Representative Henry Larcade of Opelousas were present for the festivities.

Miss Cecil Trahan of Opelousas was chosen queen. In the parade the Louisiana State Rice Milling Company won first prize in the commercial float class, with the American Legion Auxiliary winning first place in the second category. One of the highlights of the parade was the appearance of the famous Anheuser-Busch team from St. Louis.[9]

The success of the first two Rice Festivals led to the decision to make it an annual affair, and the third celebration was planned for November 7, 1939. In October Miss Lucille Jones, representing the Bernard Radio Service, and Miss Phoebe Caillouet, representing Cleveland Motors, Inc., were named as the rice princesses to represent Crowley. The day's activities were to begin with a twenty-one-gun salute at 9 A. M., followed by a band concert. Then the children's queen was to be selected and crowned. Other events included a rice-eating contest, a French-Creole hour, selecting and crowning of the Rice Queen, an exhibition by "Selden, the Stratosphere Man," street dancing, jitterburg and *fais-do-do* contest, repeat parade, Seldon again, and the festival ball.[10]

That year 45,000 people attended the Rice Festival and saw Miss Lucille Jones of Crowley crowned queen. The day's program was carried out as planned and was voted a huge success. Station KWKH of Shreveport broadcasted the festival for two hours, and WWL of New Orleans presented the story of Crowley and the Rice Festival on Tuesday night.[11]

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[8] *Ibid.*, Sept. 27, 1938.
[9] *Ibid.*, Oct. 5, 1938.
[10] *Ibid.*, Oct. 30, 1939.
[11] *Ibid.*, Nov. 8, 1939.

Plans were made to make the festival of 1940 bigger than ever. More free attractions were to be engaged and a rice pageant presented by the William Rogers Producing Company was to be featured. Plans were being rapidly matured when the flood of August, 1940, occurred and halted preparations. However, after Crowley recovered from the effects of its inundation and thought of the Rice Festival again, the citizens decided to go ahead with it as usual.[12]

It was decided to award loving cups instead of cash prizes to winners. The children's parade and ceremonies were in charge of Miss Annie McLoud. The rice-eating contest, window exhibits, two parades, and the ball were to follow the usual procedure.[13]

Then in October it was announced that the Festival Queen would be awarded a trip to New York City with a stopover of three days in New Orleans, three days in Atlanta, four days in Washington, and a week in New York. She was to be the guest of hotels in the different cities. In New York, Hotel Astor was to be her host. The week during which she would be in New York was observed as Louisiana Rice Week by the hotel and Louisiana rice was to be served on the menu if the Rice Queen would show the chef the proper method of preparation.[14]

About 50,000 people thronged the streets of Crowley for the fourth annual Rice Festival—the biggest and best of all. Twenty-three princesses were competing for the title of Rice Queen. The activities really began on Wednesday night with the first showing of "The Romance of Rice." Then on Thursday, November 7, at 9:30 A. M. the day was officially begun with a gun salute, balloon ascension, and a mass band concert. Mayor Buatt delivered an address of welcome, as did also W. J. Cleveland, president of the Crowley Business Club, the organization sponsoring the festival. Attention was called to rice implement row, a display of farm machinery arranged by local dealers. At 10 o'clock the children's queen was selected, with Miss Jeanelle Plattsmier of St. Joseph school at Rayne being crowned. Then followed the parade and the awarding of prizes for the floats.

At noon the Crowley Industrial School Glee Club, state champions, gave a concert. This was followed by a parade of rice implements and a free exhibition by the Blondin Rollins

[12] *Ibid.*, August 31, 1940.
[13] *Ibid.*, Sept. 17, 1940.
[14] *Ibid.*, Oct. 18, 1940.

Troup on the high wire. Commissioner Harry D. Wilson auctioned five lots of Blue Rose and Rexoro rice which had been donated to the Festival committee.

The afternoon program began with the judging of twenty-seven beauties of the rice section and the choosing of Miss Melba Keller of Lafayette as queen. She was selected by a committee of judges headed by Ted Lewis, orchestra leader and showman, and was crowned and presented with the queen's medal and her royal mantle by Commissioner Harry D. Wilson. Mr. Wilson then addressed the crowd, predicting that the Crowley Rice Festival would become the nation's outstanding agricultural fete.

Governor Sam H. Jones made an address praising Crowley for its spirit in overcoming the handicap of flood damage and describing the contrast between Parkerson Avenue covered with water and thronged with merrymaking crowds. The Governor commended the city on its determination to let nothing stop the Rice Festival and praised the "pioneer spirit" which had permitted such a comeback from disaster.

The French-Creole hour came next, featuring an address in French by Secretary of State James A. Gremillion, and a program of French songs, dances and talks.

The main event of the afternoon (after the crowning of the queen) was the grand parade of twenty-eight floats, about a dozen bands, and many horseback riders. It followed the route along Parkerson Avenue that ninety days before was covered with water and could be navigated only in boats. The floats competed in two classes—the commercial and city floats and the fraternal organization floats. The Louisiana State Rice Milling Company and the town of Gueydan won first and second places in the first class, and first and second places in the second class went to the Crowley Lions Club and the Crowley Rotary Club.

Once again the Acadia Home Demonstration Club's window display at Kennedy's Cash Store won first prize. It was a replica of a rice farm showing a neat farmer's home, garden, yard, barn, barnyard animals and a rice field. In the field were a thresher in operation, trucks, wagons, shocks of rice, and men at work. Second prize went to the Brandt Furniture Store, which told the story of the Rice Experiment Station. Using the patriotic "One

Flag—One Country" theme, Heymann's window, done in colored rice grains, won third prize. Prizes were also awarded to the best floats in the children's parade.

Many free acts were scheduled during the day, including the Flying Meteors, Blondin Rollins Troup, Juggler on seventy-five-foot pole, Jitterbug contest, Lee Early and his trained dogs, and a Ted Lewis show presenting his entire group of dancers, trio, and his "living shadow." Besides these, many concessions were scattered all along the neutral ground and were patronized by the crowds.

The rice pageant, "The Romance of Rice," was given again on Thursday night and was a big success. It depicted the history of rice, beginning with the creation of the world, showing early culture in China, its introduction in England, and the rice culture in the Carolinas and Louisiana. This was followed by scenes of rice before the Civil War, the influx of northern settlers, and the beginning of rice irrigation. The final scene featured a wheel of progress made up of all the characters.

Concluding the Rice Festival was the queen's ball in the city auditorium. Ted Lewis played for it and again presented his entire troup including his shadow, Charley "Snowball" Whittier; Kay, Katya and Kay, adagio and acrobatic dance trio; Joan Woods and her Conga dance; the Tell sisters; the pep squad of Lewis' outfit; and Jean and Blanche in their rhythmic dances of beauty and charm.

> To a late hour Thursday night the city was still crowded with visitors who had come from great distances to help Crowley celebrate the rice harvest and forget the disastrous flood which visited the city in August. But Friday morning there was little to remind the casual passer-by that Crowley had just put on the biggest celebration in its history. The task of cleaning up and getting back to work was under way early and already the determination was forming to make the 1941 rice festival bigger and better still.[15]

On December 6, 1940, Miss Melba Keller, Rice Queen, with her sister, Mrs. O. L. Passmore, as chaperon, left on her New York trip. She was to be met in New Orleans by Commissioner of Agriculture Harry D. Wilson, in Atlanta by Governor-elect Talmage and perhaps Governor Rivers, and in Washington, D. C., by the Secretary of Agriculture. From there she was to go to

[15] *Ibid.*, Nov. 8, 1940.

New York for a week's stay.[16] She returned home on December 27. The Festival committee believed that she had made such a good ambassador and had such a wonderful trip, that the event should be made a permanent feature of the Festival. Perhaps next time the queen could be sent to the west coast.[17]

One thing that has made the Rice Festivals such outstanding successes has been the cooperation that everyone has shown. The police jury, city council, and state have given financial aid to all of them, besides the floats sponsored by the police jury. The farmers in the surrounding territory have given rice for decorations. The business and professional men of the city underwrote the last Festival. Indeed everyone has given of his time, energy, and money to make the Festival a success. It is no wonder that with such support the celebrations grew larger each succeeding year. Attempts are now being made to include Arkansas and Mississippi in the festivals.

CHAPTER VII

THE FLOOD DISASTER OF 1940

The weather of this section of Louisiana is not ordinarily so unusual that an entire chapter must be devoted to its discussion, but that during 1940 was so extraordinary that it merits special attention. Of course there have been snowstorms in Crowley, but they have occurred very infrequently. The first important one came on St. Valentine's Day in 1895 when more than a foot of snow fell. A trainload of immigrants arriving in Crowley on that date almost turned back at the sight of the snow—snow here in the "Sunny South" where they had been told it never snowed. Older residents were overjoyed and hastily constructed sleds with which to enjoy the snow. Many of them had not seen any since they had left their northern homes to come south.[1] Since then snow has fallen at various times but never to any great amount. The latest snowfall was in January of 1935.[2]

The winter of 1939-1940 seemed to be progressing as usual with its weeks of alternate cool and warm weather. This continued until January, 1940, when it began breaking all precedent. During the first two weeks such a varied assortment of weather occurred until the citizens hardly knew what to expect. On the

[16] *Ibid.*, Dec. 6, 1940.
[17] *Ibid.*, Dec. 17, 1940.
[1] *Crowley Daily Signal*, Oct. 4, 1937, City Section, pp. 15, 21.
[2] *Ibid.*, p. 26.

18th it had apparently decided to give Crowley and the vicinity a good freeze. The temperature which was sixty-one degrees that morning plunged downward about noon and continued to drop. Before five o'clock P. M. a light rain began which soon turned to sleet. All water in exposed places froze, and by nightfall the streets and highways were in a dangerous condition because of their coating of sleet. The temperature continued to drop until it reached a low of sixteen degrees on Thursday night. Only once before had Crowley experienced such freezing weather—in 1917, when the thermometer registered seventeen degrees. Parish schools were closed and considerable damage was done to plants and livestock.[3] For over a week the temperature ranged from a low of sixteen degrees to a high of sixty-one degrees, with the following being reported:[4]

Date	*High*	*Low*
January 18	61°	16°
January 19	27°	16°
January 20	About the same	
January 21	42°	28°
January 22	32°	25°
January 23	34°	22°
January 24	38°	27°
January 25	34°	19°

On January 22, 1940, the first snow Crowley had seen for five years fell. Schools were forced to remain closed, water pipes froze, automobile radiators were damaged, plumbers were busy, one starting out with a list of one hundred and forty-five cases of trouble, and fuel and heater dealers did a tremendous business. Then wood and coal began to get scarce and much suffering was reported among the poor and colored people, particularly in West Crowley. The Red Cross and other organizations prepared to help. Trucks were sent to the woods to get loads, the city ordered ranks of wood to be distributed free to those who needed it, and the South Crowley school auditorium was heated and left open so that anyone so desiring could get warm or even spend the night there.[5]

By the beginning of the succeeding week the greatest need for fuel had passed. About thirty-five or forty ranks had been delivered from Church Point and others were to come in soon.

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[3] *Ibid.*, Jan. 19, 20, 1940.
[4] *Ibid.*, Jan. 25, 1940.
[5] *Ibid.*, Jan. 22, 26, 1940.

The sun was shining brightly again, and it was beginning to thaw. On February 1, two weeks after the cold spell began, it was reported that, for the second time in fourteen days, no freeze had occurred.[6] The temperature continued to climb and for the rest of the winter remained nearer its normal level.

Not content with having set a new low temperature record for the section, the weather began to set a new record for rain also. The first part of the year was exceptionally wet, and in April a slight deluge occurred when it rained a total of 4.84 inches in thirty-six hours. Cars were drowned out, boats were being used, and citizens were marooned in their homes because of the lack of boats. South Crowley suffered most, but even on North Parkerson Avenue between Seventh and Eighth streets almost an inch of water stood. But by the following day most of it had disappeared.[7]

During June and July the excessive rains continued, with 5.70 inches falling in July, making a total of 42.57 inches for the first seven months of 1940. The 1939 total for the same period had been only 23.52 inches. Accompanying the rain was a heat wave which made the weather more oppressive.[8]

August saw no cessation of the rainy weather which was being regarded with increasing gloom, particularly by the farmers. A survey of the loss estimated the damage done to crops in Acadia Parish as follows: cotton 50%; rice 5.3%; corn 10%; foodstuffs (gardens and truck crops) 80%; and sweet potatoes 35%.[9]

By August 5 it had rained 2.82 inches during that month, making a total of forty-four inches for the year.[10] It was thought that the rainy, gusty weather might be caused by a hurricane disturbance due to strike between Grand Isle and Franklin. Shifting gales of from fifty to sixty miles velocity accompanied the low pressure area. A second disturbance was reported near the Virgin Islands and was moving west-northwestward.[11] This storm caused a tide which flooded the low coastal areas of south Louisiana, forced hundreds of residents of lower Plaquemines, St. Bernard, Jefferson, Terrebonne, and Lafourche parishes to leave and marooned three hundred persons in the Coast Guard Station on Grand Isle. It then centered near Vermilion Bay.[12]

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[6] *Ibid.*, Feb. 1, 1940.
[7] *Ibid.*, April 30, 1940.
[8] *Ibid.*, August 1, 1940.
[9] *Ibid.*, August 3, 1940.
[10] *Ibid.*, August 5, 1940.
[11] *Ibid.*, August 6, 1940.
[12] *Ibid.*, August 7, 1940.

The immediate effects of the storm were felt in Crowley on Tuesday, August 6, when a cool east wind brought the temperature down to 74°, and a light mist began to fall. Later the wind increased in velocity and the rain became heavier. All through the night the wind blew, tearing up trees, signboards, fences, awnings, and other property and doing considerable damage to the early rice.[13] Accompanying the wind and continuing until Friday was a torrential rain. About 9.76 inches of rain was received in the twenty-four hour period from 9 A. M. Thursday to the same hour on Friday, making a total of 50.08 inches, which was an increase of about twenty-five inches over the same period in 1939.

Since the natural drainage had been blocked because of the hurricane on the Gulf Coast which pushed the water back up along the Gulf, and since the ground was already saturated, the water was forced to remain where it fell. South Crowley was flooded on Thursday due to the rain and to the overflow from Bayou Blanc. Then the Crowley drainage ditch overflowed into North Crowley. At about the same time Bayou Plaquemine Brulé, north of Crowley, overflowed and the water rushed over the irrigation canal along the Odd Fellows Home road and poured down into the city until from one to eight feet of water covered the entire city.[14]

Evacuation of the people of South Crowley began on Thursday, August 8, about three hundred being housed in the South Crowley school and other hundreds taken to the North Crowley school, St. Michael's gymnasium and the City Hall. Even then the water was so high that business places had water standing in them and the water in the streets was as much as eighteen inches deep. Lights and telephones were out in many areas. The sewage disposal plant was unable to function. Roads in all directions were closed. Appeals for dry clothing and bedding were sent out and warnings were issued about drinking water. Vaccinations for typhoid fever were begun, particularly among the evacuees. More boats were needed and pleas for aid were sent to Governor Jones, the National Red Cross and anyone who could help.

The water continued to rise higher and higher until Saturday morning when the peak was reached. By noon the fall in

[13] *Ibid.*, August 8, 1940.
[14] *Ibid.*, August 16, 1940.

the water was noticeable and it continued to fall until all the water was out of the streets by Thursday—one week after the flood started.

During this period boats were the only method of transportation and more of them were needed. At first only volunteer ones were available. Then on Sunday all the boats in the city were seized by the State Police who had been sent in for patrol duty during the flood to prevent looting of homes and business houses. They also helped to evacuate refugees.

The rescue work was begun by the sheriff's offce and the city police. They were soon joined by the Red Cross, Health Unit, W.P.A., local physicians, Welfare office, Fire Department, Geesey-Ferguson, and everyone who could help. Then on Friday a relief agency was set up in the courthouse. W. J. Cleveland, chairman of the relief agency; Noble M. Chambers, chairman of the Red Cross; and A. T. Browne, superintendent of the parish schools, were the leaders of the organization.

The shortage of boats slowed up the evacuation of refugees. On Sunday C. E. Stackhouse of Jennings came over with fourteen boats and operators and boats were later sent from Eunice, Alexandria, Rayne, Opelousas, Lafayette, New Iberia, Lake Charles, Jennings, and Welsh.

The first train to take refugees out left the city with its load on Sunday. By Monday 3,500 were sent out to refugee camps in Lafayette, Rayne, Jennings, Lake Charles and elsewhere. These refugees were those who were forced out of their homes by the water and were dependent upon the Red Cross.

Because health regulations forbade the use of that within the city, food was shipped in by the National Red Cross and distributed to the citizens through the Calcasieu Mercantile Company. The Red Cross also sent Mrs. Anderson and Mrs. Butler of the National organization to take charge of the relief work and the rehabilitation program.

During the whole period of the flood the water supply was never cut off, and lights and power were out for only thirty-six hours. The fight to save the power plant began on Thursday night when the water began to get deeper. Attempts to throw up a dike to keep out the water and to dip it out so as to keep it down both ended in failure. However, by 2 A. M. Saturday the

water was out of the plant. Electric current from Eunice was used to operate the water pumps until those of the plant could be repaired, and a double dose of chlorine was added to the water to make sure it was safe for use. Work on repairing the engines began immediately, the lights being again ready for use by 4 P. M. Sunday.

A barricade was built in front of the telephone office to keep the water out. Even then some came in, but because of the sweeping that was done it never got over two inches deep. About 700 of the 1,300 telephones were out, due to the depth of the water in the places where they were located, but the doctor's telephones and those in hospitals and drugstores were kept repaired. A line was also kept open to Gueydan, another flooded town.

The Western Union moved to the Southern Pacific freight depot on Friday and worked there with the ticker and key and the telephone. The Postal Telegraph remained in their offices until Friday when the water went over the machines. Then they moved upstairs and used temporary facilities.

Mail service was continued in spite of the flood, though it was somewhat delayed by late trains and the halting of the through railroad service. For a time mail was ferried from the railroad station to the post office in washtubs. Much mail piled up at the office but all special deliveries were made and all who called for their mail received it.

The only utility company which experienced no particular difficulty during the flood was the United Gas Company. In a few instances regulators were reported to have gone off and cut off the gas supply but the fuel continued, making cooking and the boiling of water possible.

As soon as the water had partially receded the work of cleaning up began. Chloride of lime and slaked lime were issued free from the courthouse to everyone. A crew of sixty men worked disposing of dead animals. The Standard Oil Company of Baton Rouge donated 10,148 gallons of fuel oil to be used in burning them, and old automobile tires for the same purpose were brought free by the L. & N. Railroad from Shreveport. A crew of men was employed cleaning out the sewage disposal plant and it was again ready for operation by August 17. Rural water supplies were checked and chlorinated. About 30,000 people were inoculated against typhoid.[15]

[15] *Ibid.*

During the entire period no deaths occurred from drowning and only four from any cause whatsoever. One man who had been ill for a long time died, another died of heart failure, and two babies succumbed. Due to the precautions taken the city's health was better than usual.[16]

Soon the refugees were being permitted to return to Crowley. Additional surplus commodities were received and distributed, making about three hundred carloads already shipped into the flooded district with two hundred more expected to arrive soon.

In September the flood orders were halted, and registration for the rehabilitation program was finished with more than 6,000 Acadia Parish families being registered for assistance.[17] The Red Cross maintained their quarters in the City Hall until November, when all cases had been investigated. In the period from August to November over 17,000 families in the flooded area had been registered and about $250,000 spent on relief.[18] Other contributions to the relief fund included:[19]

Southern Amusement Company	$1,000
American Rice Growers Cooperative Association	935
Western Union Telegraph Company	100
Howard E. Bruner	100
Deridder Red Cross	116
Jackson Brewing Company	100
W. H. Hunter	100

The City and Parish officially expressed their thanks to everyone who had aided them, in the following ordinance:

> Be it Resolved by the Police Jury of Acadia Parish in regular postponed session this 20th day of August, 1940, this jury go on record offering the sincere thanks and appreciation of all the people of Acadia Parish, to the American Red Cross, the Governor and his committee, the City of Jennings and its officers, the City of Lafayette and its officers, the Town of Rayne and its officers, Station KVOL at Lafayette and other agencies and individuals for the splendid assistance rendered to the people of our Parish, in the recent flood disaster which visited the Parish of Acadia. To all those who in any way rendered help in this great crisis, this Jury wishes to offer thanks and appreciation.[20]

[16] *Ibid.*, August 17, 1940.
[17] *Ibid.*, Sept. 9, 1940.
[18] *Ibid.*, Nov. 27, 1940.
[19] *Ibid.*, August 17, 21, 28, 1940.
[20] Acadia Parish Police Jury Proceedings, Book VI, p. 439.

The cost of the flood to the city has been estimated at nearly a million dollars without counting the loss of livestock and crops. About eighty percent of the homes were flooded and had no insurance to cover the loss. The bill for the damage done to the fire-fighting equipment and for the amount spent for disinfectants was $1,701. The Trade School was flooded, but no water entered the City Hall or the courthouse, though great damage was done to the equipment of the A. A. A. building.[21]

Only once before has Crowley had anything like the flood which occurred in 1940. In 1927 the city was flooded, but the situation was not bad. Refugees were even brought into Crowley from other places at that time. Old-timers say that a similar situation occurred about seventy-two years ago when the site of Crowley was an untracked prairie. Joseph Primeaux, seventy-two years old, remembered a flood which occurred in 1876, when he was eight years old, that completely covered everything.[22]

This flood of 1940 extended as far northeast as Branch, coming down through Roberts Cove, through parts of Rayne, southwestward to Crowley, across the city westward to Estherwood, Midland, and Mermentau, southward through parts of Morse into Gueydan and extending toward Lake Arthur. It reached almost to the village of Iota, and parts of Lafayette were also flooded.[23]

The two biggest problems confronting Crowley after the flood, besides the cleaning up process, were drainage and insurance. The local insurance agents refused to make any adjustments at all on homes until they heard from their companies. Adjustments were made on automobiles but the payments for such damages were very unsatisfactory, some receiving more than others on the same make and model of car. Then it developed that the insurance policies which the people held on their homes were not applicable to this situation. As a result many received no indemnity at all, and many only a small fraction of the amount of damage done by the water.[24] A movement has since been instituted to get a test case before the courts to determine whether or not it is possible to force the insurance companies to pay the damages.

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[21] *Crowley Daily Signal*, August 16, 1940.
[22] *Ibid.*
[23] *Ibid.*
[24] *Ibid.*, August-September, 1940, *passim.*

The flood also showed Crowley its need for better drainage facilities. Some meetings were held soon after the city was back to normal again and plans were made to interest the federal government in such a project. Further impetus was given to the movement by the ten-inch rain which occurred in November, 1940, again flooding the lower part of the city and forcing some citizens to leave their homes for the fourth time within the year. Many streets were flooded and a premature flood panic caused automobile owners to park their cars on the high ground along the Southern Pacific tracks.[25] The water soon drained off but the occurrence made the citizens of Crowley more anxious than ever to get better drainage facilities. Work on this project is still going on in Crowley and in many other sections of Southwest Louisiana.

CHAPTER VIII

SUMMARY AND CONCLUSION

The opening up of the southwestern portion of Louisiana came just at the proper time. The country had recovered from the effects of the Civil War, railroads were being built into the section, and all was ready for development on a large scale. The first step was the creation of a new parish to make it more convenient for the settlers to transact their legal business and to govern themselves. Then the stage was set for the founding of a city which would become the center of the gradually developing rice industry—a city that would serve as a shipping center, rice milling and warehousing center, and as a political center of the new parish. This is what Crowley, the Rice City of America, has become. The city owes its beginning to the Duson brothers who laid it out on unbroken prairie land in 1887. In a period of fifty-four years it has developed into a prosperous city of approximately 10,000 population serving not only Acadia Parish but all of Southwest Louisiana as well with its stores, machine shops, warehouses, and rice mills. Crowley has never been a boom town but has shown a steady growth and development year by year.

The twelve years of Crowley's incorporation as a village saw the establishment of the city and parish governments, the construction of the old parish courthouse, the growth of business

[25] *Ibid.*, Nov. 11, 1940.

houses from one to over sixty, the beginnings of the development of the country rice mills and warehouses, and a growth in population of about 4,000.

Crowley was incorporated as a town for only four years—1899 to 1903—but these were busy years for the municipality. A town hall and a new parish courthouse were erected and the town limits were enlarged. The discovery of oil in the parish led to the incorporation of about fifteen oil companies for exploration purposes, and an increase in the number of rice mills and irrigation companies occurred.

Since 1903 Crowley has been a city. Its many paved streets lined with large oak trees make it a very attractive place to the tourist and even more so to the resident. Its government is housed in a modern city hall which contains a large auditorium where many civic affairs are held. The finances of the city, though they have not always been in such good condition, are on a current basis, and the city's expenses do not exceed the taxes collected. While it is not the most rapidly growing city in Southwest Louisiana at the present time, it has shown a steady increase in population.

The city's most outstanding event of the year is the annual Rice Festival during which the Queen of Rice is crowned. These were inaugurated in 1927 when Sol Wright and his daughter Edith were crowned King and Queen of Rice. No more Festivals were held until 1937 when the custom of choosing and crowning a Rice Queen each year was instituted. Sol Wright remains the only Rice King.

The greatest hindrance to the recent development of Crowley came in 1940 as a result of the storm which covered the entire city with water to a depth of from one to eight feet, making boats the only means of transportation. This situation lasted nearly a week before the waters receded and allowed the citizens to begin an intensive cleaning up campaign. The damage done was estimated at one million dollars, not including the loss of livestock and crops. However, three months later the same streets that had been covered with flood waters were thronged with people attending the fourth Rice Festival. Crowley had indeed made an impressive recovery.

Since then the city has been particularly interested in solving the problem of better drainage for the section, cooperating with other communities and the federal government on the project. Other proposals that interest the city at the present time are the establishment of a mill for the manufacture of paper from rice straw, the securing of a municipal airport, the solution of the problem caused by the lack of adequate parking space in some sections, and the furthering of any plan that will aid in the improvement or upbuilding of any part of the city.

If past events can be used to predict future ones, Crowley's prospects for a continual growth and development seem very bright.

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A RARE CONFEDERATE LOUISIANA STATE DOCUMENT AND ITS HISTORY

By JAMES A. MCMILLEN

While collecting rarities for the Louisiana State University Library in Shreveport on a buying trip in November, 1938, I made two significant finds for the Library which give much enlightenment on little known incidents of the days when Shreveport was the Confederate capital of Louisiana. This purchase included the editor's file of the *Shreveport News* during the entire existence of the Confederacy and a little known document issued during the month of April, 1865, whose distribution was never completed as local happenings were overshadowed by the surrender of General Robert E. Lee to General U. S. Grant on April 9, 1865, and the subsequent surrender of General Joseph E. Johnston to General W. T. Sherman on April 26th. While the last large unit to capitulate was that of General Edmund Kirby Smith at Shreveport on May 28, 1865, the last weeks of the war must have led to a confused state of affairs when the end was a foregone conclusion.

The state printer of Louisiana during the time that Shreveport was the state capital was John Dickinson, the proprietor of the *Shreveport News* printing establishment, and his daughter was still occupying the Dickinson home almost in the heart of the city, the house still containing many books, pamphlets, etc. of the days of the Confederate rule. Her name was Mrs. M. D. Lindsay and in her possession was found the identical copy referred to in a note on the editorial page of *The Semi-Weekly News* (Shreveport, April 29, 1865) and repeated in the issue of *The Shreveport Weekly News* of May 2, 1865:

> Thanks to Governor Henry W. Allen for a copy of a work published under his direction, being the official report relative to the conduct of the Federal troops in Western Louisiana during the invasions of 1863 and 1864, compiled from sworn testimony. The work contains eighty-nine pages, and is very interesting. Dr. Ball, we believe, has them for sale.

So far as we have been able to determine, no library has another copy of this rare document. The failure to give it wider distribution can be well understood when the last struggles of the Confederate Government left little time for the distribution and

sale of a vitriolic attack against its conquerors so soon to take over again the reins of government. On page 3, Governor Allen accounts the history of the report and his story of the appointment of the special investigating committee, composed of representative men from the parishes of Natchitoches, St. Landry, Avoyelles, and Rapides. The date of this introductory statement was March 29, 1865 (although given in Claitor's reprint as March 29, 1864, doubtless because of dimness of impression in the rare original). In this statement is given Allen's letter of appointment to all men assigned to make this detailed investigation, although the Governor intimated that other men would be later assigned to investigate facts as to other parishes invaded. Evidently Governor Allen had no indication of the impending end of the Confederacy, as, to quote, he states the names of his appointees and qualifies it with a promise to print other reports as received from commissioners later to be appointed:

> Hon. T. C. Manning, of Rapides; General John G. Pratt and Colonel John E. King, of St. Landry; Hon. J. W. Butler and Colonel Phanor Prudhomme, of Natchitoches; Hon. E. North Cullum and E. de Generes, Esq., of Avoyelles, were appointed for their respective parishes. Only the commissioners for Rapides and St. Landry have sent in their reports. Should the others be received before the printing of the reports of Messrs. Manning, Pratt, and King is completed, they will be added; otherwise they will be issued in a supplement.

The date of the letter of appointment was June 20, 1864.

Nothing seems to be known about other Parish reports besides those for Rapides and St. Landry. The best known commissioner was the Hon. Thomas Courtland Manning. He was born and reared in North Carolina where he prepared for the practice of Law at the University there. He removed to Alexandria, Louisiana, where he began practice in 1855. Soon he became prominent and was elected a delegate to the Louisiana Secession Convention in 1861. He was a State-rights Democrat. He entered the Army as a Lieutenant and served with the rank of Lieutenant Colonel on Governor Moore's staff. In 1863 he was appointed Adjutant General of Louisiana with the rank of Brigadier General. In 1864 he was appointed Associate Justice of the Louisiana Supreme Court. He was Vice-President of the State Democratic Convention that decided Louisiana's choice for President in 1876 was Samuel Jones Tilden. In 1877 he became

Chief Justice, Supreme Court of Louisiana, and served until 1880. In 1882 he was appointed to the Supreme Court for a third time and served until 1886. He died in October 11, 1887, in New York City, at the age of fifty-six.

The enterprise of Mr. Otto Claitor of Baton Rouge led him to recognize the importance of this rare and unknown document, for he had the document reprinted and attractively bound in a facsimile reprint, that follows word for word and line for line the rare original. The damaging evidence of lack of military conduct on the part of the Federal troops, in newspaper parlance, "fell flat", distributed, as the report was after the Confederacy as a nation was doomed. What became of other copies has never been discovered but the disorder occasioned by the fall of the cause led to disregard for all propaganda for the nation.

So, to maintain the record, I give below the entry for this little-known official report:

Louisiana Governor (Henry Watkins Allen).
Official Report
relative
to the conduct of Federal troops
in Western Louisiana
during the
Invasions of 1863 and 1864,
compiled from sworn testimony,
under direction of
Governor Henry W. Allen.
Shreveport, April, 1865
Shreveport, La.
News printing establishment
John Dickinson, Proprietor
1865

Salmon-colored wrapper with identical title: t-p. ([1-2]), [3]—89p. blank end cover (1 L.) 8 vo.

If any reader knows of another copy please inform James A. McMillen, Bibliographer, Louisiana State University Library.

BOOK REVIEW

By WALTER PRICHARD

One Hundred Great Years: The Story of the Times-Picayune from Its Founding to 1940. By Thomas Ewing Dabney. (Baton Rouge: Louisiana State University Press, 1944. Pp. xii, 552. $4.00.)

On January 25, 1837, George Wilkins Kendall and Francis Asbury Lumsden launched in New Orleans the South's first cheap newspaper. The *Picayune* began as a very modest little newssheet, but it soon made a place for itself in New Orleans journalistic circles. After a continuous existence of over a century, the *Times-Picayune* ranks today as one of the South's greatest metropolitan dailies. In celebration of the completion of its first century of existence, the *Times-Picayune* published a voluminous Centennial Edition on January 25, 1937. Thomas Ewing Dabney, long an important member of the editorial staff, directed the preparation of the materials that went to make up this Centennial Edition. He personally did much of the necessary research in the back files of the newspaper, and he wrote many of the special feature articles of a historical nature that filled the pages of the Centennial number. The interest developed from this work of preparing the Centennial Edition caused Mr. Dabney to continue his research on the history of the *Picayune*, and the splendid volume under review is the crowning result of his labors.

This interesting volume contains far more than its mere title would lead the reader to suspect. It comprises much more than the story of the ups and downs—happily more "ups" than "downs"—in the development of the *Times-Picayune* during more than a century. The volume really presents a running account of the history of the City of New Orleans, the State of Louisiana, the United States of America, and the World at large—when events of world-wide significance were expected to have an appeal for *Picayune* readers. "A Century of History, as Reflected in the Files of the New Orleans *Times-Picayune*," might have been selected as a title more accurately describing the contents of this valuable volume.

Mr. Dabney's work contains more Louisiana history during the past century than any other volume now in print. The treatment of the subject is somewhat unique. Many of the chapters

are in the nature of feature articles, in the preparation of which the author is a master. The style is smooth and racy, in the best journalistic manner, and it holds the interest of the reader and carries him on and on until the volume is completed. The narrative hits all the high spots in a century of Louisiana history, and it should have a wide appeal to the general reader who desires a briefer treatment of the subject. The volume deserves a place in every school and public library in Louisiana, and every collector of important works on Louisiana should add it to his collection.

It is a matter of regret to this reviewer that several minor errors of historical fact have crept into the volume, apparently due to inadequate checking by author and proofreaders. During a rather hasty but careful reading of the volume, the following minor inaccuracies have been noted:

President Polk signed the Joint Resolution for the annexation of Texas on March 1, 1845 (p. 65). General Pillow's middle initial was "J" (p. 77); that of State Treasurer Burke was "A" (p. 286); that of the sculptor, Hart, was "T" (p. 330); that of Dudley LeBlanc is "J", and that of George Guion is "S" (p. 469, footnote). Governor Joseph Marshall Walker always signed his name as "Joseph," never "Marshall," without even a middle initial (p. 95); General Hancock's first name was "Winfield" (p. 217); the first name of the Louisiana lottery leader was "Charles" (p. 255); Commodore Dewey's name was "George F." (p. 349); and the Destrehan who was a member of the Louisiana constitutional convention of 1811-1812 was "Jean Noel" (p. 394). New Mexico, as annexed to the United States in 1848, included the present states of Utah and Nevada as well as Arizona; California was annexed at the same time, but it was never a part of New Mexico (p. 80). The Louisiana Legislature did not meet in 1849, its first meeting in Baton Rouge being in January, 1850 (p. 95). The total appropriations for the erection of the Old State Capitol in Baton Rouge were $256,500 (p. 95). Railway mileage in Louisiana was 79.5 in 1850 and 334.75 in 1860, according to the United States census reports (p. 96). The total value of imports at New Orleans for the fiscal year ending June 30, 1859, was $18,349,516, instead of this sum being the increase for the fiscal year ending June 30, 1860, over the preceding year (p. 108). The most reliable estimates place the total of federal funds seized by Louisiana officials after secession at about

$600,000 (p. 114). The date "1871" should be "1861" (p. 135). No "Democratic National Committee" ever met in Baton Rouge (p. 230). The official organ of the anti-lottery faction in Louisiana was the *New Delta,* not the *Delta* (pp. 313, 338). John M. Parker was Federal Food Administrator for Louisiana during World War I, not "National Food Administrator" (p. 365). The nearly 460,000 hogsheads of sugar produced in Louisiana in 1861 could not have been derived from only "about a hundred square miles" of land planted in cane (p. 427).

These minor slips should have been eliminated by the author or the proofreaders. However, they do not seriously mar the value of the volume. They are "molehills" rather than "mountains" and are the type of little things that can be eliminated only by the most careful checking and rechecking of a manuscript of this nature.

The Louisiana State University Press and the printers are to be congratulated on the attractive format of the volume. The Index is extensive and complete, making it easy to locate the numerous facts contained in this veritable mine of information. Those who wish to use the volume for reference purposes will be exceedingly grateful to the person or persons responsible for the compilation of the Index.

INDEX

THE LOUISIANA HISTORICAL QUARTERLY
VOLUME XXVII

ABBOT, M., topographical survey of Crowley, 1135.

Abbott, David, originated system of upland irrigation making possible rice industry of Crowley, 1157-58, 1159.

Acadia Literary and Commercial College, 1176.

Acadian-Signal, 1188.

Acadia Parish, 380; early history and formation of by division of St. Landry, 1119-21; contest for parish seat of, 1122-23; 1124; Crowley selected parish seat, 1125-26; erection of courthouse, 1126-27; officials of, 1888, p. 1127; new courthouse, 1903, pp. 1132-33; discovery of oil, 1134; repair of courthouse and erection of Agri. Building, 1140-41; 1155; growth of rice in, 1157, 1159, 1160; cotton crop, 1162; cattle industry, 1163; other crops, 1163; agencies aiding farmers, 1163; growth of rice mills in, 1165-68; cotton gins, 1168; oil developments, 1169-70; 1172, 1173; development of educ., 1175-84; newspapers, 1184-89; 1199; public welfare organizations, 1205- 1207; 1208; resolution of thanks to those helping in flood disaster, 1220.

Acadia Parish Board of Health, fight against yellow fever, 1136.

Acadia Parish School Board, 1175, 1177, 1179, 1173.

Acadia Rice Mill, first mill established in Acadia, 1164.

Adams, Thos. A., chairman of Com. of 100 of the Fusion Party, 568.

Adams, T. S., Rep. of State Farmers' Union at Anti-Lottery Conv., 1057; suggested as nominee for gov. by combine of Anti-Lottery and Farmers' Union, 1086, 1088; declined nomination, 1090; cand. sec. of state, 1090.

Addison, Geo., began *Rayne Signal*, 1184.

Alcorn, James L., Miss. Senator, investigation of La. politics, 1873, p. 579.

Alexander, Mr. and Mrs. James, Caroline Desgranges lived with, 171.

Alexandria, La., 483; population, 1860, p. 488; Dick Taylor organized military dept. in, 521, 541, 633; N. O. trade with, 952; Farmers' Union meeting, 1087; 1198, 1201, 1218, 1227.

Allain, T. T., senator, 990; favored lottery bill of 1890, p. 1033.

Allen, Henry W., injured in battle of B. R., 522; official report relative to Fed'l troops in West La., 1226-28.

Alwes, Berthold C., "The History of the La. State Lottery Co.," 964-1118.

Amacker, O. P., opposed lottery, 1043.

Am. Legion Memorial Hospital, 1199.

Am. Protective Tariff League, denounced Caffery, 811.

Am. Rice Milling Co., 1172, 1175.

Am. Sugar Refining Co., sugar trust, Caffery's opposition to, 819.

Anderson, Thos. C., senator, 1872, p. 557.

Andreassen, John C. L., "Check List of Hist'l Records Survey and Survey of Fed'l Archives Publications For La.," 613-23.

Andrus, Martin J., tax collector, Acadia, 1127; other offices of, 1131.

Anse la Butte, oil field near Breaux Bridge, 1169.

Anti-Lottery Bill, failed to pass electorate, 1095.

Anti-Lottery League of La., initial meeting, 1054; organization and election of officers, 1054-55, 1056; first public meeting, 1055; later meeting, 1055-56; reception for legislators, 1056; state conv. in B. R., 1057, 1086; merged with Farmers' Union, 1058; Dem. Anti-Lottery State Ex. Com. organized, 1058-61; campaign highlights, 1890, pp. 1063-66; sentiment favoring anti-lottery mail bill aroused by, 1075; 1086; agreement with Farmers' Union, 1086-87; const. of, 1103-1104; list of leaders of, 1104-1109.

Anti-Lottery Postal Law, upheld by Sup. Ct., 789; effects of early laws on, 1073; history of 1074-75; passage in Cong., 1076; provisions, 1076; debate, 1076; effects of, 1077; attitude of the press, 1078-79; law enforced, 1079-81; U. S. Sup. Ct. rules constitutional, 1081-82; 1111, 1112.

Antoine, Arthur, introduced bill to create "N. O. Lottery Co.," 980.

Antoine, C. C., Negro, partner of Pinchback in factorage concern in N. O., 538-39; Pinchback said to have cheated, 544; claimant for Lt.-Gov., 1872, p. 560; 576.

"A Rare Confed. La. State Docu. and Its History," by Jas. A. McMillen, 1226-28.

Arkansas Post, 629, 630, 631; naming of, 632; lack of law and order, 632; de Clouet in charge, 632; 633; salary to offcials of, 634; cost of administration of Quapaws, 634-35; trade of, 635-36; overtures of peace to, 636; strength of, 637-38; lack of religious guidance, 638-39; population of, 639-40; site of, 640-41; Labuxière interpreter, arrested as traitor, 641-42; dealings with Indians, 642-43; 644; DeVilliers in charge of, 645-46; peace with Osage, 646; friendship with Kaskaskia, 648; trade arrangement with Blommart, 649-50, 651-52; trouble with Osage, 650-51; 652; and contraband traders, 653-54; Willing visits, 655-56; Blommart sends spy to, 658; agitation for movement of to higher ground, 659; crops ruined by drought, 661, 663; 662, 664; Ger. soldiers at, 670; attempt to conquer for Eng. by rebels, 671; DeVilliers replaced by Jacob Durbeuil Saint-Cyr as commander, 672; 674, 675, 676; Colbert's antipathy toward, 676; his reported plot to attack, 677; DeVillars in command, 677; 678, 679; letter of commander *in re* peace with Chickasaw, 680; Dubreuil takes command, 682; reinforcements to, 682, 683; conditions of, 682-83; gov. wished to abandon, 683; attacked by Colbert, 683-85; location, condition, and inhabitants of, 688-90; "demon rum," 690-97; system of land grants, 697-699; need of new fort, 699-700; repair by habitants, 700-701; destruction by floods, 701-702; construction of new fort delayed, 702-703; new fort built, 703-704; outpost established later abandoned, 707-708; poor condition of, 1793, p. 709; 710; new comdt., 712; council of Sp. decides to repair, 712; Villemont in command, 713; various spellings of the name, 713; St. Stephens established, 714; transfer of, 715; name remains, 716.

"Arkansas Post of La.: Spanish Domination," by Stanley Faye, 629-716.

Arnould, Louis, introduced bill which became Act No. 44 of 1879, p. 994.

BAGGS, W. B., introduced bill prohibiting sale of lottery tickets, 1096.

Bangs, Lt. Col. J. S. Jr., recommended Pinchback for commission, 531.

Bank of Commerce and Trust Co., of Crowley, 1171-72.

Banks. Gen'l N. P., conscription in N. O. under, 519-20; replaces Butler in N. O., 525; interview with Pinchback, 530; refused Pinchback's commission, 531.

Bar Assoc. of N. O., invitation to Clay, 740; honors Clay, 762; memorial exercise for Webster, 763.

Barbat, Alphonse, official of Confed. Navy, 480, 481.

Barbin, Aristide, reasons for voting for Lottery Bill of 1890, pp. 1037-39.

Barnes, Caroline, 8; birth of, paternity questioned, 25, 27-40, 61; marriage to John Barnes, 29; legatee in will of Clark, 66, 67; noted, 75-76, 80, 81, 83, 97, 99, 101, 102, 131-33, 134, 137-42, 145, 146, 147, 149, 150, 152, 155, 156, 157, 159, 160, 161, 162, 165 168, 170, 174; made defendant in Gaines bill in equity, 190; legal opinion *in re* birth, 191, 193, 194, 195, 215, 216, 217, 218,, 219, 220, 221, 222, 223, 224, 228-35, 237, 253, 267-69; 271, 278, 282, 284, 308,

Barnes, John, marriage to Caroline Desgrange, 29; 36, 138, 161, 163, 171; named defendant in Gaines' bill in equity, 190; 219, 233.

Barrett, J. T., pres. Acadia Lit. & Com. College, 1176.

Barry, J. E., judge, public offices in Crowley, 1131.

Batchelor, A. A., pressure on to vote for lottery, 1047.

Baton Rouge, La., occupied by Galvez, 338; population, 1860, p. 488; 490; fall of, 520; attempt of Breckinridge to recapture, 521-22; evacuated by Federals, 522; Repub. convs. in, 1872, p. 552; surrender to Galvez, 661, 662; 663, 698; Z. Taylor pres. from, 725; Clay visits, 741; encounter of Clay and Taylor in, 757, 758; provision for moving capital to, 989; 1032, 1046; state conv. of Anti-Lottery League in, Aug., 1890, pp. 1057, 1086; State Farmers' Union conv., 1057, 1077; Dem. State Nominating conv. in, 1088, 1089; 1096, 1199.

Batson Prairie, oil field, 1169.

Battle of New Orleans, 495, 734; commemoration of, 1844, p. 748; 764.

Beauregard, P. G. T., ordered firing on Sumter, 776; commissioner of La. Lottery, 979; in defense of Lottery Co., 987; semi-annual drawing, 1879, pp. 1002-1003; 1015; as commissioner, 1016-20; 1099.

Beck, Charles, Confed. naval officer, 484.

Bee, 518; suppressed by Butler, 500-501; friendly to Clay, 733.

Beer, H., lottery offer, 1035; 1049.

Behan, Wm. J., on the lottery question, 1042.

Bell, Joseph M., acting recorder of N. O., 512; sentenced Pinchback to 2 yrs. in jail, 529.

Bell, T. F., pres. Anti-Lottery Conv., 1890, p. 1057; 1058.

Bellechasse, Joseph D. D., note, 7; Clark conveys property to in interest of Myra, 45, 47-48; letter of, 47; Myra visits, 48; noted, 56, 59; testimony of, 60; executor of will, 66, 67, 69; testimony of, 72-76; noted, 85, 86, 90; testimony of, 103; evidence against, 115; testimony of, 119, 125, 133, 134, 137, 153, 154, 155, 159, 160, 161, 164, 165, 172; *in re* Clark's will of 1813, pp. 173, 174; 190; deposition of, 206, 208, 214, 224, 236, 237, 262, 267, 269, 280, 310.

Benguerel, Madame_____,gives evidence that Desgrange was bigamist, 53-54, 103-104, 137, 151, 153, 154, 155, 159, 160; testimony, 208, 215, 224-25, 238, 262, 265, 266, 288.

Benjamin, Judah P., 740; appears before Bar Assoc. honoring Webster, 763.

Benthuysen, Alfred C. Van, capt. of the Confed. Marine Corps from La., 485.

Bernardy, Charles, witness to marriage of Desgrange and Barbara Orci, 87, 91, 94, 98.

Bernardy, Victoria, witness to marriage of Desgrange and Barbara Orci, 87, 91, 94, 98.

Billings, E. C., counselor in support of Pinchback, 592; Judge of U. S. Circuit Ct., declares Act No. 44 unconstitutional, 998-99; 1000, 1009, 1010, 1013.

Blanc, S. P., La. midshipman, 483.

Blanchard, B. P., witness in case to prove Pinchback duly elected to House of Rep., 587, 588; State Registrar of voters in Orleans Parish, 584.

Blanchard, Newton C., succeeded White in Senate, 808; and the Wilson-Gorman Bill, 809, 810; fight for sugar duty, 813, 814; fight for bounty due, 817; favored Calcasieu River project, 842; introduced ordinance on lotteries, 1879, p. 999.

Bloomer, Robert, incorporator of La. Lottery Co., 975.

Boisfontaine, Pierre Baron, 7; testimony on Myra Gaines' birth, 41, 43-44; 56; testimony of, 60, 68-71; 67, 75, 85, 88, 90; evidence against, 115; testimony of, 119, 125, 133, 134, 137, 161, 168-69, 172; deposition of, 206, 208, 214, 224, 236, 262, 271, 280, 281, 282, 285.

Bolton, G. W., thought lotteries morally wrong, 1039; 1058.

Bonin, Miss Estelle, queen of rice festival, 1209.

Booth, Edward, introduced bill to repeal Acts No. 25 of 1868 and No. 9 of 1874, pp. 982, 988; 1056.

Borland, Euclid, opposed lottery, 1040; termed a "wide-awake Mex. lottery magnate," 1047; 1056.

Bosco Field, 1170.

Bourges, Alfred, introduced bill to authorize lottery drawing for charitable institutions, 971.

Bowen, Dr. Wm. Shaw, describes La. Lottery drawing, 1016-20.

Bradford, David, officer of Confed. Marine Corps from La., 485.

Breaux, John A., headed anti-lottery Repub. ticket, 1092.

Breaux, Joseph A., justice, dissenting opinion in Morris *vs.* Mason, 1052.

Brewer, C. A., County agent of Acadia, 1163.

Brewster, O. H., chosen speaker of the House, 1872, by Warmoth, 549.

Brooks, Wm. P., Confed. Naval engineer from La., 484, 485.

Broussard, I. B., post adjutant of Acadia Post, Am. Legion, 1200; sec.-treas. of rice festival, 1209.

Broussard, Nick, commander Accadia Post, Am. Legion, 1200.

Brown, Isaac N., capt. of Confed. Navy, 480.

Brown, James, 79, 107, 108, 454; in La. history, 720; brother-in-law of Clay, letter of, 741; suit of heirs of *vs.* Humphrey heirs, 742-45.

Brown, Mrs. James, willed property to J. B. Humphreys, 742, 744.

Bruns, Dr. H. D., called Lottery Co. moral evil, 1055.

Bruns, Mrs. H. Dickson, vice-pres. Women's Anti-Lottery League, 1061.

Bruton, G. A., opposed lottery question, 1039.

Buatt, J. Matt, mayor of Crowley, 1145, 1151, 1211.

Buchanan, Admiral Franklin, Confed. Naval officer, 482.

Bullard, Henry Adams, first pres. of N. Eng. Soc. of N. O., 739.

Bureau of Finance, organized by Shepley in N. O., 512.

Bureau of Streets and Landings, organized in N. O. by Shepley, 512.

Burkdall, A. R., editor of *Signal*, 1185-86.

Burke, Major E. A., control of *Democrat*, 1002.

Burns, Francis P., "Henry Clay Visits N. O.," 717-82.

Bush, Col. Louis, at reception for anti-lottery legislators, 1056; presiding Dem. Anti-Lottery State Com., 1091.

Butler, Benjamin Franklin, arrival in N. O., 487, 495-96; description of, 496-97; reception in N. O., 497-99; declared martial law, 499-500; attitude toward press, 500-501; control of churches, 501-502; his "woman order," 502-504; refused to commute sentence of Mumford, 504-505; restoration of economic processes, 506; public works program, 508-509; monetary stabilization, 509-11; *in re* slavery, 511; reorganized N. O. city gov't under military control, 512-13; "cracks down" on N. O., 514-18; July 4 celebration in N. O., 1862, p. 519; disarming order, 522; recalled, 524-25; order to free men of color to take up arms in Union army, 529; Repub. Rep. from Mass., proposed that Pinchback be seated in Cong., 582, 583, 584; inscription on Clay's monument, 777, 778, 779; counsel for Lottery Co., 991.

Butler, Chas. A., on com. to supervise primary, 1892, p. 1094.

"Butler Regime in La.," by Thos. Ewing Dabney, 487-526.

CABELL, GEN'L W. L., connected with La. Lottery Co., 1015; 1098, 1099, 1101; challenge of, 1102.

Cage, Thos. A., on the lottery question, 1042.

Caffery, Bethia Richardson, marriage, 785.

Caffery, Donelson, (father), sugar planter in St. Mary Parish, 783; parish judge, 783.

Caffery, Donelson, antecedents, 783; birth, early life, education, 784; in Civil War, 784; practice of law and sugar planting, 784-85; marriage, 785; sued by Syper and acquitted, 785; during Carpetbag regime, 785; const. conv. of 1879, pp. 786-88; member com. to investigate state debt, 786-87; anti-lottery campaign, 788-90; member Dem. State Nominating Conv., 1891, p. 789; in the Senate 790-91; supports social measures, 790-91; anti-trust bill supported by, 791; supports changes in Civil Code of La., 791; appointed and elected to U. S. Senate, 791-92; maiden speech on the silver question, 794-96; reelected to U. S. Senate, 1894, p. 797; sale of U. S. bonds, 798; address on nat'l finance, 799-

800; "La. Dem. out of line," 801; campaign of 1896, pp. 801-803; chairman Nat'l Dem. Party, 803; against Teller Resolution, 804; his "The New South" address, campaign of 1900, p. 805; views on tariff, 806; champion of sugar planters, 806; becomes senior senator from La., 806; and the Wilson-Gorman Bill, 806, 807-10, 815; denounced, 809, 810, 812-13, 821; his stand on bounty question, 810-12; fight for sugar duty, 813-14; fight to collect bounty due, 816-17; opposition to Dingley Tariff act, 818-21; opposition to sugar trust, 819-20; attitude on Cuban Insurrection, 821-22, 823-25; sympathy to Cuban patriots, 825; against Morgan Resolution, 826; opposed to war with Sp., 827-28; *in re* annexation of Hawaii, 829-30; opinion of the result of the Sp.-Am. War, 831; against acquisition of the Philippines, 831-33, 834, 835; against McEnery Resolution, 833-34; fought Spooner Amendment to Army Appropriation Bill, 835; attitude toward Nicaragua Canal, 836-40; support of Rivers & Harbors Bills, 841; responsible for appropriation for improvement of Bayou Plaquemine, 842-43; efforts to get appropriation for Miss. R. Pass improvements, 843-44; objections to Immigration Bill, 1897, pp. 844-45; efforts to obtain passage of Quarantine Bill, 845-46; presented committee resolutions denying Corbett seat in Senate, 846; campaigned for son for gov. of La., 847; interest in 4-yr. term only for naval cadets, 847; fight against Ship Subsidy Bill, 848; retired to private life, 849, 850; reestablished friendship with Foster, 849-50; became wealthy man, 850; death in 1906, pp. 850-51; estimation of, 851; bibl., 851-53; counsel for Mason, 1051.

Caffery, Don Jr., 803, cand. for gov. on Populist and Repub. fusion ticket, 846; Sen. Caffery campaigned for, 847; defeated, 847.

Caffery, Gertrude, daughter of Sen. Caffery, 850.

Caffery, Lucile Roy, "The Political Career of Senator Donelson Caffery," 783-853.

Caffery, Lydia Murphy, marriage to Don Caffery, 783-84.

Caffery Central Refining Co., 789.

Caillavet, Madame Rose, Zulime gives power of atty. to, 26, 29, 31; 24, 34; testimony on birth of Caroline, 35; testimony, 41, 44, 55, 76, 78, 82-85; 90, 97, 99, 103; evidence concerning, 115; evidence of, 125, 133, 134, 137, 138, 143, 146; 147, 148, 149; testimony, 152-54, 155, 156, 157, 159, 160, 161, 164-65, 175, 191, 193, 194, 206, 208, 214; ruled unworthy of credit, 217-20; 221, 223, 224, 227, 228, 232, 233, 234, 235, 236, 237, 238, 268, 271, 284-85, 288.

Caire, Edward, Confed. Naval surgeon, 486.

Caldwell, Mrs. J. W. treasurer Women's Anti-Lottery League, 1061.

Calhoun, John C., 718; contest with A. Jackson, 728; death of, 763; N. O. honors jointly with Clay and Webster, 763-64, 765-69.

Calhoun, Jos. F., Lotteryite cand. for supt. of ed., 1090.

Campbell, H. J., ousted Sambola as senator, 536; withdraws from Pinchback faction, 553; removed by Pinchback from command of militia, 569; counsel for Pinchback, 587.

Campbell, Jas. C., Prog. League com. 1062.

Campbell, John A. counsel for Lottery Co., 1879, p. 998.

Capuchins, priests in La., 1767, pp. 638-39.

Cardenas, Louis de Penalver y, La.'s first bishop, 713-14.

Carondelet, gov. of La., *in re* commerce, 634; plan for war against Americans, 681; succeeded Miro, 1791, p. 708; surveys Miss. R. posts, 709; preparation for Clark's expedition, 710, 711; 712, 713.

Carpenter, Matthew, proposed another election in La., 1874, p. 596; investigation of La. politics, 579.

Carradine, Rev. B., N. O. Methodist minister protests against acceptance of aid from Lottery Co., 1028; Anti-Lottery League Ex. Com., 1056; published pamphlet against Lottery Co., 1070.

Carriere, Zulime, 7; sketch, 23-24; marriage of to Desgrange, 24; children of, 24-25; given power of atty in absence of Desgrange,

25-26; birth of Caroline, 27-40; alleged marriage to D. Clark, 41-43; circumstances of Myra Clark's birth, 43-44; married to James Gardette, 46, 58, 59, 62; trip to N. Y. to prove bigamy of Desgrange, 53-54; marriage to Clark, 55-62, 78; 70, 74, 77; *in re* marriage to Clark, 77-82; 83-85; *in re* marriage certificate of Desgrange to Barbara Orci, 86-91; and Desgrange's trial for bigamy, 91-104; record of her petition against Desgrange for alimony, 104-107, record of divorce or annulment proceedings, 107-14; evidence disproving her marriage to D. Clark, 115-33; conflicting evidence, 133-78; legal opinion *in re* facts of her marriages, 190-95, 206; decreed legally married to Clark in Patterson Case, 207, 210; decision reversed, 213-25; dissenting opinion, 226-40; 252-55, 259, 261, 262, 265, 267-73, 274, 275, 279-88, 304, 322.

Carter, Geo., Speaker of House, 1872, opponent of Warmoth, 549-50.

Carver, Hiram W., councilman of Crowley, 1126, 1130, 1171.

Casey, James F., Collector of the Port, 549; appeal to Grant for recognition of Pinchback, 565, 568.

Caspari, L., view of the Lottery question, 1037.

Caton, Miss, Daniel Clark reported engaged to, 57, 58, 59, 79, 121, 122, 167, 168, 216, 286.

Catron, John, justice, 126, 205-10; opinion written by in suit of Gaines *vs.* Relf, Chew and others, 213-14, 217-25, 226, 232, 233, 234; dissenting opinion in case of Gaines *vs.* Hennen, 274-76.

Canas, Hilary, Confed. naval officer, 480-81, 483.

Cenotaph, in Lafayette Sq., N. O., honoring Clay, Calhoun, and Webster, erection of, 765; picture of, 766; description of, 767; 769.

Chambers, Noble M., mayor of Crowley, put finances on current basis, 1145; chairman Red Cross, 1218.

Champion *vs.* Ames, tested constitutionality of law restricting interstate traffic of lottery tickets, 1084-85.

Chapman, Ed. Jr., La. midshipman, 483.

Chappuis, P. J., mayor of Crowley, sketch, 1130, 1208.

"Check List of Hist'l Records Survey and Survey of Fed'l Archives Publications For La.," by John C. L. Andreassen, 613-23.

Chevis, Will, ed. *Rayne Sentinel*, 1185-86.

Chew, Beverly, partner of Clark, 19; named executor in will of Clark, 1811, pp. 20, 21, 23; 30, 31, 32, 33, 45, 56, 65, 75-76; petition against 126, 127; 128, 141; 173, defendant in Myra Whitney's bill in equity in Circuit Ct. of U. S., 180-83; charges against, 184-85; filed demurrer, 189, 190; Gaines *vs.*, 189-204; noted, 206, 209, 213, 216, 246, 247, 249, 250, 251, 277, 278, 289, 290, 291; illegal sales of Clark estate, 304-307, 310, 315.

Church Point, La., 1121, 1163; cotton gins in, 1168; Farmers Bank & Trust Co. merged with that of Crowley, 1171; 1215.

Civil War, effect of on trade in N. O., 957; the lottery a means of reconstruction in La., 969, 973-74; Hy. W. Allen's official report of conduct of Fed'l troops in W. La., 1226-28.

Claiborne, Henry Ballatin, Confed. naval officer, 481.

Claiborne, W. C. C., 28; Clark's duel with, 57, 65; the transfer of La. to the U. S., 329.

Clark, Daniel, father of Myra, 7, 9; will of, 12-13; sketch of, 18-23; first delegate from Territory of Orleans to Cong., 19, 57; will of May, 1811, pp. 20-23; his questioned paternity of Caroline and Myra, 25; letter from Desgrange, 26-29; and Caroline' birth, 28-40; his alleged marriage to Zulime, 41-43; circumstances of Myra Clark's birth, 43-44; places property in trust for Myra, 45-46, 47; last will, 48; further evidence regarding marriage to Zulime, 53-62, 77-82, 88, 115-33; De la Croix's evidence *in re* last will, 63-64; further evidence *in re* birth of Myra, 64-68, 68-72, 72-76; 91, 97, 99, 100, 103, 104, 105, 106, 107, 111, 112, 114; conflicting evidence, 133-78; 191-95, 206; decreed legally married to Zulime in Patterson Case, 207, 210, 211; de-

cision reversed, 213-215; dissenting opinion, 226-40; will of 1813 probated, 244-45, 246, 247-48; 249, 250, 251; decision in case of Gaines *vs.* Hennen regarding validity of marriage, 252-53, 255, 259, 261, 262, 267-73, 274, 275, 279-88; estate of, 289-93; attempt to revoke probation of will of 1813, p. 293-304; sales of estate of, legal and illegal, 304-14; 317, 321, 322; 938.

Clark, Mary, mother of Daniel, 20. 36, 48, 162-63, 172, 246, 249, 250, 291, 312, 316.

Clark, R. T., clerk of court, Acadia, 1127; 1171.

Clay, Henry, statue of in N. O., 717; a "great American," 717-18; early life, 718-19; study of law, 720; marriage, 720; children, 721; assistance to La. sugar planters, 721; his services as Congressman from Ky., 721-22; signs Treaty of Ghent, 722; Sec. of State, 722; cand. for pres., 722-23; the Plaquemines Fraud, 723-25; final effort made to nominate as pres., 725; 726; duels of, 727-28; the Compromise Tariff, 1833, p. 728; description of, 729-32; reasons for visits to N. O., 732-33; attack on Jackson, 733-34; enmity to Jackson reflected in treatment in N. O., 1819, p. 734; his speech of May, 1819, in N. O., 734; second visit to N. O., 1831, pp. 735-36; influence of in senatorial election, 735-36; second defeat for pres., 736; third return to N. O., 1842, p. 736; N. O.'s reception of, 1842; pp. 737-39; guest of honor of N. Eng. Soc. of N. O., 740; appearance in the Sup. Court in N. O., 742-45; trips to Mobile, 745, 750; Clay Ball, 745-47; fourth visit to N. O., 1843, p. 747; social activities, 748; trip to Natchez, 749; reception of friends, 749-50; third defeat for pres., 750-51; fifth visit to N. O., 751; guest of honor of N. Eng. Soc. of N. O., 751-54; address in behalf of Irish, 755; final visit to N. O., 756; Whigs fail to nominate, 757; participates in laying of cornerstone of Customhouse, 760; death of, 761-62; N. O. forms Clay monument Assoc., 764; Parmele gives reasons for honoring Clay, 764-65; joint funeral ceremony, 765-69; erection of statue and description, 769-75; criticism of statue, 775-76; Butler's inscription on statue, 777, 778; new cornerstone laid, 778-79; square and avenue in N. O. named after, 779; bibl., 780-82.

Clay, John, brother of Henry, a merchant in N. O., 733.

Clayton, T. A., leader People's Party in La., 1092.

Coleman, Jas. David, Anti-Lottery League Ex. Cob., 1056; 1060.

Committee of One Hundred, group of Fusionists, 565, 568.

Committee of Public Safety, in N. O., 1862, published list of notes thought to be "good" money, 509.

Committee of Thirty-Four, raised flag of U. S. over N. O., June 7, 1862, p. 518.

Committee of Two Hundred, Fusionist group opposing Pinchback, 572.

Comstock, John Henry, Confed. naval officer, 480, 481-82, 483.

Comstock, Wm. Van, Confed. naval officer, 480, 481, 482-83, 84.

Confed. Memorial Building, erection of, 1025-26.

Confiscation Act, its effect in N. O., 514-15, 516.

Conrad, Paul., succeeded Dauphin as pres. La. Lottery Co., 1890, p. 1014; agreed to abide by Postal Law, 1083; transfers business of Lottery Co. to Honduras, 1098.

Considine, John, incorporator of La. Lottery, 975.

Conway, Maggie, first teacher in Crowley, 1175.

Cook, Jas. V., Confed. naval surgeon, 486.

Cooley, W. H., opponent of Civil Rights Article of const., 534.

Corbin, Henry, secretary to Pinchback, 555.

Cotton, a crop in La., 352-53; on Erwin estate, 363, 389, 390; in 1860, p. 488; N. O. merchants specialized in, 949; factorage system in N. O., 951; South's dependence on, 957; 958; in Acadia Parish, 1162, 1168.

Cotton Centennial Exposition, 1884, in N. O., 777; 1011.

Coupland, T. V., nominated for lt.-gov., 547.

Court of Probates of La., N. O., the Gaines Case, 9, 13, 23, 30, 63, 74; proceedings in to probate will of Clark, 49, 51, 119, 173 180; 311, 312.

Coxe, Daniel W., 7; business partner of Clark, 19, 20; testimony in the Gaines Case, 25, 29-40, 56, 57-58, 59, 60, 61, 62, 75-76, 79, 81, 82, 90, 101, 115, 120-22, 129, 131-33, 134, 137, 138-39, 139-42, 144, 145, 147, 148, 149, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166-67, 168, 170, 171-72, 173, 174, 194, 214, 215-16, 217, 218, 219, 221, 222, 228, 229-31, 232, 233, 234, 237, 246, 266, 271, 272, 287.

Cox, Isaac Joslin, "Trailways to the Momentous Transfer," 329-42.

Craighead, John B., administered plantations of Erwin estate, 359-60; 374, 386, 387, 388, 390, 391, 394, 396, 398, 399, 400, 401; agent of heirs of Lavinia Erwin, 430; 433, 437, 439, 440, 444, 445, 449, 450, 452, 453, 454, 455, 457, 458, 459, 460, 461, 462, 464, 465, 466.

Crain, Walter O., Confed. naval officer 483, 484.

Crandell, A. W., suggests aid be given by Lottery Co. direct to people, 1027; chairman State Dem. Ex. Com., demand for primary, 1050; 1092; on com. to supervise primary election, 1094.

Crawford, T. S., opponent of Civil Rights Article of const., 534.

Creole American, newspaper short-lived in Crowley, 1186.

Crowley, La., 1120; founders of, 1121-22; stories *in re* location of, 1122; laid out, 1123; naming of, 1123; plan of, 1123; sale of lots, 1124-25; building begun, 1124, 1125; victorious in contest for Acadia Parish seat, 1125-26; village organized, 1126; new courthouse, 1127-28; growth of business, 1128; other growth, 1129; incorporated as town, 1898, p. 1129; early leaders, 1129-31; conditions of streets in early 1900's, p. 1131; erection of town hall and market, 1131-32; new parish courthouse, 1132-33; established Board of Health, 1133; growth, 1133-34; census of 1903, pp. 1134-35; becomes a city, 1135; center of Southwest La. rice industry, 1135; extensive street improving program, 1135, 1137-38, 1139-40; fight against yellow fever, 1135-37; property tax assessed, 1137; health program, 1138-39, 1141-42, 1152; erection of city hall, repair of courthouse, 1930, pp. 1140-41; businesses of, 1937, pp. 1142-44; finances, 1145; history of waterworks and power plant of, 1145-49; fire dept., 1149-51; development of sewerage system, 1151-53; telegraph and telephones, 1153-54; the post office in Crowley, 1155-56; natural gas reaches, 1156; "Rice City of Am.," 1157; development of rice industry, 1157-62; host to State Cattlemen's Assoc., 1163; establishment of local rice mills, 1164-68; cotton gin, 1168; plans for building paper mill, 1168; oil development, 1169-70; financial institutions, 1171-73; railroads in, 1173-74; shipping facilities, 1175; development of education, 1175-84; newspapers, 1184-89; churches, 1190-94; lodges, 1194-96; civic organizations, 1196-1205; public welfare organizations, 1205-1207; health unit, 1206; Rice Belt Amateur Field Trials, 1208; Annual Rice Festival, 1208-14; flood disaster of 1940, pp. 1214-21; need for better drainage, 1221-22; summary, 1222-24; bibl., 1224-25.

Crowley, Pat, section foreman for whom town of Crowley was named, 1123.

Crowley Industrial School, for Negroes, 1180.

Cowley Industial Training Institute, 1182.

Crowley Oil and Mineral Co., 1129, 1137, 1169.

Crowley Rice Experiment Station, 1161.

Crowley University School, 1176-77.

Cross, K. A., senator, 1042; counsel of St. Amant, 1048.

Crossman, A. D., mayor of N. O., proclaims half-holiday honoring Webster, 763.

Cunningham, M. J., Anti-Lottery cand. for att'y-gen'l, 1090; address to Dem. Anti-Lottery St. Com., 1091.

Curry, R. H., opposed lottery, 1039.

Custom House Conv., called by Dunn, 544-45.
Custom House Republicans, 545, 547, 551; led by Packard, holds state conv., 552.

DABNEY, THOS. E., "The Butler Regime in La.," 487-526; *One Hundred Great Years: The Story of the Times-Picayune from Its Founding to 1940*, revd., 1229-31.
Daily Delta, suppressed by Butler, 500; Union paper, 518.
Daily Picayune, attitude toward Butler, 500; order of suspension not enforced, 501; *in re* conduct of women toward Union men, 503; 506, 507, 508, 511; welcomed reorganization of city gov't, 513; 518, 519; friendly to Clay, 733, 736, 737, 741.
Daily Signal, of Crowley, 1180; *Signal* becomes daily, 1186-87; celebration of fiftieth anniversary, 1188-89; issues for which it has fought, 1189.
Daily True Delta, attitude toward Butler, 497, 499; cautioned by Butler, 500; 505, 507, 508, 509, 510; denounces abolitionism, 511; welcomed reorganization of city gov't, 513; 514, 518.
Dakotah, Lottery Co. boat aids in flood relief, 1029.
DaPonta, Henry, suit against Lottery Co., 983-84.
DaPonte, Durant, on Returning Board, 557-58.
Dauphin, M. A., Pres. Lottery Co., defense of Co., 995-96; 1007; use of mails attacked, 1007-1008; 1008-1009; libel suit against McClure, 1010-11; sketch, 1014; offer of money for flood control, 1027, 1028; other charities, 1029; message *in re* Lottery Co. in N. Dakota, 1074; 1079.
Dauphin *vs.* Key case, 1074.
Davis, David, justice, rendered majoirty opinion in favor of Mrs. Gaines in case *vs.* city of N.. O., 278-93; opinion in case of Gaines *vs.* De La Croix, 308-11.
Davis, Eliza, her suit aganist Mrs. Gaines, 311-14.
Davis, I. I., reasons for voting for Lottery Bill of 1890, pp. 1042-43.
Davis, Col. Samuel B., 8; testimony of, 41; brief sketch, 43; Myra Clark placed in care of, 43-47; 59, 62; testimony about, 64-65, 67, 69, 71, 81, 84, 88; testimony of, 126-28, 131-33, 134, 137, 165, 168-69, 170, 172, 173; *in re* Clark's will of 1813, pp. 173-74; 190; legal opinion *in re* to, 191; 244, 259, 280, 293.
Day, Rob't S., pres. Prog. League, 1062.
DeBlanc, Armand, Confed. naval engineer from La., 485.
deClouet, Alexandre, in command of Ark. Post, 1768, p. 632; peace with Osage Indians, 636, 646.
DeFeriet Board, Returning Board created by Warmoth, 558.
DeForest, J. W., officer under Butler, wrote *Miss Ravenel's Conversion*, 516.
De La Croix, F. D., executor named in Clark's will, 12; 21-22; petition against probation of will of 1811, pp. 22-23; 48; testimony of, 63-64, 134, 137, 190, 208, 214; executor of will, 65-66, 67, 68, 69 72, 73, 75, 76; 90, 119, 173; Gaines' suit against for property purchased in bad faith, 307-11, 313, 314.
Delassize, Nicolas, comdt. at Pointe Coupée, detains Madam de Villiers, 674.
de Lemos, Manuel Gayoso, gov. of Fort Panmure, refused to carry out Carondelet's orders, 681; 706; warned of Am. attack, 708; established Fort San Fernando de las Barrancas, 711.
Demas, Henry, on the lottery question, 990, 1042.
Democratic Anti-Lottery State Com., meeting in N. O., 1090-91; 1092.
Democratic Anti-Lottery St. Ex. Com., organization, committees, and work of, 1058-60.
Democratic Party, defeat of in La., 1867, p. 533; 1868, pp. 535, 536; 537, 538; union with Warmothites, 542; 545, 548, 552; endorsed Greeley, 553; 571; 604, 751; split in La., 1891. p. 789; and the silver issue, 796-97; La. for free silver, 801; Caffery a gold bug, "a La. Dem. out of line," 801-802, and the tariff question, 805-21, *passim;* members of bolt into Repub. Party, 816; Caffery alienates himself from by stand on currency, 849; lottery amendment issue in La. gubernatorial race, 1892, pp. 1085, 1086; meeting of St. Central Com.,

1087-88; St. Nominating Conv., 1088; factions hold caucas, 1089; split in, 1089-92; efforts to unite, 1093-94; unity achieved, 1096.
Democratic State Central Committee, 790; meeting in N. O., 1087-88; anti-lottery "Foster" faction reorganizes, 1090, 1091; meeting of McEnery faction Ex. Com., 1093; declares against lottery amendment in view of Morris' withdrawal, 1093; meeting of factions, 1093; efforts to unite, 1093-94; harmony effected, 1096.
Democratic State Nominating Conv., 1891, pp. 789, 1088, 1089.
Descoudreaux, Chas., in charge at Balize and Manchac, 630, 631.
Desgrange, Jerome, sketch of, 24; marriage to Zulime Carriere, 24; children, 24-25; trip to France, 25-26; letter to Clark, 26-29; 41; charged with bigamy, 53-55, 57, 61, 62, 70, 78, 80, 81, 82, 83; Latin marriage certificate, 86-91; early trial for bigamy in ecclesiastical court, 91-104; petitioned by Zulime for alimony, 104-107; record of divorce or annulment suit, 107-14; 129, 130, 135-36, 138, 142, 143, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, 161, 163, 164, 166, 167, 169; alimony suit, 155; legal opinion *in re* facts of marriage to Zulime, 190-95, 206, 252, 253, 254, 255; declared not a bigamist, 213-25; dissenting opinion, 226-40; *in re* ecclesiastical trial of, 257-58; 261, 262, 264, 265, 267-73, 275, 283, 284, 286-88.
Despau, Madam Sophie, 7, 24, 34; testimony of, 35, 39-40, 41, 54, 55, 56, 76-82, 97, 99, 103, 136-37, 138, 142-49, 151-52, 154, 155, 156, 157, 158, 159, 160, 161-62, 164, 165-66, 167, 168, 172, 175, 191, 193, 194, 206, 218, 214, 221, 222, 223, 224, 227-28, 229, 230, 231-32, 233, 234, 235, 236, 237, 238, 262, 268, 270-71, 283-84, 285, 287, 288; noted, 37, 38, 57, 58, 60, 68, 85, 90; evidence concerning, 115; 122, 125, 133, 141, 150, 153, 163; ruled unworthy of credit, 217-20.
De Vaugine, Etienne, comdt. at Natchitoches, attempt to monopolize Caddo trade, 633; 636.
"Development of N. O. as a Wholesale Center," by Harry A. Mitchell, 933-63.
DeVilliers, Balthazar R., came to La., 1749, pp. 629, 630; at Pointe Coupee, 630; repair of Fort Carlos III, 644; sent to Ark., 645-46; dealings with Indians, 646, 647-48, 649, 650-51; trading arrangements with Blommart, 649-50, 651; 655-56; 657, 658; agitation for movement of Ark. Post, 659; 661; claims left bank of Miss. for Sp., 662; 663, 668, 670-71; financial straits, 672; relieved of command, 672; 688; problem of sale of rum to Indians, 691-92; 674, 675; Colbert's ill will toward, 676; 677; death, 677; 683; 702.
DeVilliers, Madam B. R., 663-64, 672, 673; detained at Pointe Coupee as an absconding debtor, 674; 677.
Dibble, H. C., judge, ruled in favor of Repub. Returning Board, 558; counselor in support of Pinchback, 592.
Dickinson, Chas. H., son-in-law of Joseph Erwin, 346; duel with A. Jackson, 347-48, 397; 401, 404; 413, 435, 454, 455, 472.
Dickinson, John, state printer when Shreveport was capital of La., 1226, 1228.
Dickson, Miss, vice-pres. Women's Anti-Lottery League, 1061.
Dickson, Miss Bell, Recording-Sec. of Women's Anti-Lottery League, 1061.
Dingley Tariff Act, boosted sugar duties, 818; rates, 819; Caffery's view of, 820; passage of, 821.
Donelson, Mary, married John Caffery, 783.
Donelson, Rachel, became Mrs. Andrew Jackson, 783.
Doss, W. L., opposed lotteries, 1040.
Dreyfous, Felix F., against lottery bill of 1890, p. 1034; reasons for opposition, 1040-41; termed "political traitor," 1047; 1056; addressed Anti-Lottery League Conv., 1057.
Ducros, P. A. Jr., senator, attempt to bribe, 996.
Dudley, W. S., Prog. League Com., 1062.
Duggan, J. H., opposed lottery, 1043, 1056.
Dunn, Oscar J., opponent of Pinchback as delegate to const. conv., 1867-1868, p. 533; pres. of Repub. conv., 1871, p. 541; Pinchback selected for U. S. Senate over,

542; acting gov., calls Custom-house meeting of Repub. faction, 544-45; death of, 546; 562.
Dupre, Geo. W., state printer, accused of overcharging, 987; testified to bribery by Lottery Co., 989-91; Lottery gets control of *Democrat*, 1001-1002; case of involving violation of Anti-Lottery Postal Bill, 1081-83.
Dupre, Gilbert L., favored lottery bill of 1890, p. 1033; 1047.
Duralde, Martin, married daughter of Henry Clay, 721, 733, 736.
Durell, E. H., judge, ruled in favor of Repub. Returning Board, 558; promulgated order for seizure of state house, 559.
Duson, C. C., sheriff of St. Landry, 1121; sketch, 1122; co-founder of Crowley, 1123; crier at auction of lots, 1124; aid to Crowley, 1129-30; founder of Eunice, La., 1130; memorial ceremony, 1208.
Duson, Will, manages *Signal*, 1187; 1189.
Duson, W. W., sketch, 1122; co-founder of Crowley, 1123; the "guiding spirit" of Crowley, 1129; 1171; donated land for school in Crowley, 1176; 1178, 1181; owns and edits *Signal*, 1184-87; donated land to churches, 1190: 1196; memorial ceremony, 1208.
Dutton, John, Iberville Parish judge, 369, 400, 411, 432, 459.

EARLY, GEN'L JUBAL, commissioner of La. Lottery drawings, 979; in defense of Lottery Co., 987; semi-annual lottery drawing, 1879, pp. 1002-1003; 1015; as commissioner, 1016-20; 1099.
Ecclesiastical Court, authority questioned, 11; trial of Desgrange for bigamy, 91-104, 149-50, 152, 153-60, 193, 217, 218, 220, 223-24, 227; records of trial called inadmissable as evidence, 238-40, 255-58, 264.
Egan, Michael, officiated at marriage of Zulime and Gardette, 58.
Ellery, A. R., curator of Desgrange, 107, 108, 109.
Ellis, Mrs. E. John, vice-pres., Women's Anti-Lottery League, 1061.
Ellis, Dr. E. M., pres. Crowley Board of Health, fight against yellow fever, 1135, 1136.
Ellis, T. C. W., on Anti-Lottery League Ex. Com., 1056.
Ellis, Wm. C., cashier Crowley State Bank, 1171.
Elmore, W. A., placed in charge of Eighth District Court by Warmoth, 558; judge, not recognized by Pinchback as "somebody in authority," 563; the court abolished, 567.
Emory, W. H., gen'l in command of Dept. of Gulf, ordered to uphold Pinchback gov't, 570; 573.
Erwin, Isaac, son of Joseph Erwin, 346, 357, 358, 360; buys land from father, 376, 377; 398, 400, 447, 471.
Erwin, Jane, (also Jane Craighead) 346, 357, 359.
Erwin, John, 357, 359.
Erwin, Joseph, background and family history, 344-45, 346-48; came to La., 348, 353; plantations of, 354-55; financial difficulties, 355-56; estate and will of, 356-59; creation and dispersal of estate, 361-77; slave transactions, 377-85; summary, 396-98; will of, 399-400; inventory of succession, 400-12; sale of slaves belonging to succession of, 412-14; bibl., 476-78.
Erwin, Joseph, Jr., 346, 357, 358, 360.
Erwin, Lavinia Thompson, wife of Joseph Erwin, 348; heir of husband's estate, 356, 357; repurchased plantations, 359; administered estate, 360; death, 360; 374, 377; administration of estate, 1831-1836, pp. 386-96; 397; estate of, 398-99; 399, 412, 412-14; inventory of property of succession of, 415-30; acc't of receipts and disbursements, 430-65, 470-75; statement of crops, 466-70.
Erwin, Leodicia, daughter of Erwin, 346, 357.
Erwin, Nancy Ann, 346, 357, 358.
"Erwin, Spraggins, & Wright—Real Estate & Slave Dealers," business firm, 353-54, 397.
Estopinal, Albert, on Lottery Bill, 1042.
Erwine, Jas., of N. O., married to daughter of H. Clay, 721, 733.
Eustis, Geo., 740; chief-justice of Sup. Ct. in La., 762; oration on Clay, 769.
Eustis, J. B., Dem., claim of to vacancy in U. S. Senate, Jan., 1876, pp. 600-601.

Evangeline Oil Field, 1169, 1170, 1197.
Evans, Henry Clay, explanation of daily lottery drawings, 1022-24; methods of Lottery Co. in advertising through mail, 1024-25.

FABACHER, JOSEPH, introduced Ger. colony in Acadia, 1119.
Farmers' Alliance, 1087, 1088.
Farmers' Cooperative Rice Milling Co., formed to erect a mill in Crowley to protect farmers, 1164.
Farragut, David G., 480, 481; 487, 493, 494, 505; his conquests along the Miss. R., 520; 523.
Farrar, E. H., resolutions asking for cooperation of State Farmers' Union, 1057; addressed Anti-Lottery League Conv., 1057.
Faulkner, A. W., voted to submit lottery question to people, 1037.
Faye, Stanley, "Ark, Post of La.: Sp. Domination," 629-716.
Felter, C. W., began *Rayne Signal*, 1184.
Fenner, E., request for aid for Sanitary Assoc. of N. O., 1029.
Fenner, E. C., address to Prog. League, 1063.
Field, A. P., att'y-gen'l recognized by Pinchback, 1872, p. 567.
Field, Stephen J., justice, majority opinion in Gaines *vs.* Fuentes written by, 300-302.
Fifth District Court of Orleans, injunction against Ala. Lottery Co., 977.
Fitzpatrick, John, mayor of N. O., 779; attempt to repeal Lottery Co. charter, 991; on com. to supervise primary, 1094.
Flanders, B. F., elected to Cong. in First District of La., 1862, p. 524.
Folch, Vincente, Miro's nephew, built Fort San Esteban, 704; in command Fort San Fernando de las Barrancas, 712.
Fontenot, Gus, notary of Crowley, sketch, 1130.
Fontenot, T. S., chairman, Anti-Lottery League conv., 1057.
Forman, B. R., apologia for Lottery Co., 1013.
Fort Bute, construction begun in 1766, p. 630; British post, 642; 656, 658; surrendered to Galvez, 661; 663, 669, 670.
Fortier, Alcée, address to Women's Anti-Lottery League, 1061.
Foster, Murphy J., cand. for gov. supported by Caffery, 788, 789, 790, 791; resentment against, 846-47; supported Heard for gov., 1900, p. 847; elected to succeed Caffery as senator, 849; strained relation with Caffery eased, 849-50; senator, offered amendments to Lottery Bill of 1890, pp. 1041, 1042; opposed lottery bill, 1043; 1050, 1056; address at Anti-Lottery League conv., 1057; vice-pres. conv., presiding, 1058; vice-chairman Dem. Anti-Lottery St. Ex. Com., 1059; address to Anti-Lottery St. Com., 1091; cand. for gov. of Anti-Lotteryites, 1090, 1093, 1094; campaign, 1094; election disputed, 1094-95; inauguration, 1096; 1097; resolutions to from Women's Anti-Lottery League, 1113.
Fourth Ward Repub. Club, organized by Pinchback in N. O., 532.
Frankel, Jacob, councilman of Crowley, 1126; 1128; sketch of, 1130; first postmaster of Crowley, 1155; 1171; 1172.
Freeland, T. B. and C. J., 1167; control of First Nat'l Bank of Crowley, 1171; sketch of, 1172; 1179, 1187.
Freeman, A. A., Assistant Att'y-gen'l, 1008.
Freeman, Miles J., Confed. naval engineer from La., 485.
French, Jonas H., acting chief of police in N. O., 512; reorganized police force, 513.
Fuentes, Joseph, *vs.* Gaines, and Gaines *vs.* Fuentes, to revoke will of 1813, pp. 293-304.
Fulton, Wm., Protestant minister banished by Butler, 501.
Fusionist Com. of Citizens, to appeal to Pres. Grant, 564, 571.
Fusion Party, headed by McEnery for gov., 553-54; 563; meeting of Dec. 10, 1872, p. 564; 567, 568, 569, 571, 572, 573, 574, 579; supports Sheridan, 581, 583, 586, 588; dispute over vacancy in U. S. Senate, 590.

GAINES, EDMUND P., marriage to Myra Clark, 51; death of, 52-53; picture of, 50; 176, 184, 190; picture, 212.
Gaines, Myra Clark, 7, 9, motives of, 10; father's will, 12-13; issue of legitimacy, 13-15; issue of recov-

ery of property, 15-16; birth of, 25; circumstance concerning birth, 41-44; picture of, 42; placed in care of and reared by S. B. Davis, 43-47; discovers papers relating to birth, 47; marriage to W. W. Whitney, 47; learns from Bellechasse of last will of father, 48; proceedings to probate will, 48-51; marriage to E. P. Gaines, 51-53; 62; evidence for, 62-86; presents marriage certificate of Desgrange as evidence, 86-91; 91, 96, 103, 110; negative evidence in case of, 115-33; conflicting evidence, 133-78; references to in *Court Circles*, 176-78; list of cases, 178-79; petition to probate will of 1813 denied, 180; bill of equity filed in Circuit Ct. of U. S. to recover property, 180; ct. grants petition that defendants be supplied copies of bill in Fr., 180-81, 185-86; procedure delayed, 182; applies in Sup. Ct. for writ of mandamus, 182-83; writ denied, 183-84, 186; Gaines *vs.* Relf, opinion, 187-89; demurrers filed against bill of, 189; allegations of bill, 190; statement of case by Circuit Ct., 190-95; questions *in re* case again certified to Sup. Ct., 195; opinions rendered in favor of, 196-204; opinion in Patterson Case rules Mrs. Gaines legitimate, 205-10, 211; decision reversed in suit *vs.* Relf, Chew, etc., 211-41; dissenting opinion, 226-32, 235-41; picture of, 242; favorable decision in case of *vs.* Hennen, 243-74; dissenting opinion, 274-76; favorable decision in case of *vs.* City of N. O., 278-93; attempt to revoke Clark's will of 1813, pp. 293-304; sales of property by Relf and Chew illegal, 304-307; Gaines *vs.* De La Croix, 307-11; Davis *vs.* Gaines, 311-14; other cases to recover rents, profits, and damages, 314-22.

"Gaines *vs.* N. O.," also "The Gaines Case," 6-322.

Galvez, Bernardo, Sp. gov., 338; *in re* trade with Indians, 647, 648, 649; agreement with Blommart, 649-50; treatment of contraband traders, 653-54; aid to Am. in Rev. War, 655; 656; 657, 659; led army of Sp. against British, 661; siege of Pensacola, 663, 664, 665; plans to release Gen'l Campbell, 665-66; learns of Campbell's treachery and orders detention of, 666-67; promotion of, 668; suspends Blommart's sentence, 668, 669; release of John Campbell, 670; relieved de Villiers of Ark. post, 672; conceded equal rights to all traders, 692; 702; 854-927, *passim*.

Gardema, G., sheriff of St. Martin, appeal to Lottery Co., for aid in flood, 1028.

Gardette, James, husband of Zulime Carriere, 46, 58, 59, 60, 62, 70, 71, 78, 79, 82, 86, 88, 99, 120, 122, 132, 143, 151, 167-68, 170, 172, 175, 191, 193, 194, 216, 281, 285, 288.

Gardette, Jas. Jr., 59, 60; testimony of in regard to marriage certificate of Desgrange, 86.

"Gatlin Gun" Conv., *see* Custom House Conv.

Geale, Herbert, case challenging constitutionality of Act No. 9 of 1874, p. 985.

Gibson, Col. Randall L., 784; election of successor to Senate, 791, 792; attacked by Anti-Lotteryites, 1065.

Giffen, Adam, commissioner of lottery drawings, 977.

Gilbert, T. B., favored lottery bill of 1890, p. 1033.

Godchaux, Frank, "rice king," head of La. State Rice Milling Co., 1166, 1167.

Goldthwaite, Alfred, senator, on Lottery Bill, 1042; speaker at Prog. League meeting, 1063.

Goodrich, Chas., Protestant minister banished by Butler, 501.

Gracien, Geo., 989; substantiated charges of Wilde of bribery of Lottery Co., 990.

Graham, Lewis E., Prog. League Com., 1062.

Grand Cheniere, dam built to prevent salt from killing rice, 150-60.

Grant, Alex. J. Jr., Confed. naval officer, 483, 484.

Grant, J. G., Anti-Lottery League Fin. Com., 1056.

Green, John, councilman of Crowley, 1131.

Gremillion, Jas. A., bid for erection of Crowley City hall, 1140; Sec. of State, address at Crowley rice festival, 1212.

Grosz, Agnes Smith, "The Political Career of Pinckney Benton Stewart Pinchback," 527-612.

Grunewald Opera House, first public meeting place of Anti-Lottery League, 1055; reception honoring Legislators voting against lottery, 1056; 1063.
Guice, T. J., address at Anti-Lottery League conv., 1057; obtains ruling of Nat'l Farmers' Union *in re* combine, 1087.
Guichard, Robert F., opinion of Lottery Bill, 1890, p. 1042.

HAHN, MICHAEL, elected to Cong. from Second District of La., 1862, p. 254; gov., 989; substantiated charges by Wilde of bribery by Lottery Co., 990.
Hair, Velma Lea, "The History of Crowley, La.," 1119-1225.
Hampton, Chas. P., on Lottery bill, 1042.
Harmon, B. H., mayor of Rayne, 1120.
Harper, Mrs. Harriet, nurse of Myra Clark, 44; 45, 46, 47, 56, 71, 72, 75, 84, 85, 90; testimony of, 64-68; evidence against, 115; 125, 133; 169; evidence of, 137, 161, 164, 165, 172, 173, 190, 191, 195, 208, 214, 224, 235-36, 262, 271, 280, 285.
Harper, Wm., 43, 44, 64, 71.
Harris, A. B., pres. Senate, 1873, p. 576.
Hart, Joel Tanner, creator of statue of Clay, sketch of, 771, 775.
Hasset, Thos., canon, 93, 95, 96, 97, 98, 152, 153, 154, 156, 157, 159, 160, 217, 220, 258, 264.
Hatch, F. W., on Returning Board, 558.
Hawkins, Jacob, on Repub. Returning Board, 558; judge of Superior District Ct. renders decision in favor of P. H. Morgan, 578.
Hawsey Memorial School, 1180.
Hawthorne, Nina Emily, wife of P. B. S. Pinchback, 606.
Hayes, R. B., recorder, Acadia Parish, 1127.
Heard, W. W., gov. of La., 847; nominated cand. for auditor, 1090.
Hearsey, Major H. J., loses control of *Democrat*, 1001-1002.
Heller, Rabbi Max, speech against lottery, 1061, 1070.
Henderson Plantation, near N. O., involved in suit of Davis *vs.* Gaines, 311.
Hennen, Duncan, Myra Clark's suit against, 176; opinions, 241-76.
Henry, S. P., Speaker of the House, 1056.
"Henry Clay Visits N. O.," by Francis P. Burns, 717-82.
Herron, J. F., removed by Warmoth as Sec. of State, 557.
Hill, Jas. Davidson, on Anti-Lottery League Ex. Com., 1056; Anti-Lottery delegate to Farmers' Union meeting, 1086.
Hillyard, M. B., staff member N. O. *Times-Democrat*, 1128.
"History of Crowley, La.," by Velma Lea Hair, 1119-1225.
"History of the La. State Lottery Company," by Berthold C. Alwes, 964-1118.
"Home Plantation," or Principal Plantation, of Joseph Erwin, 354; description, 354-55; 361-63; 374, 375, 376, 380, 381, 385, 386, 387, 388, 390, 393, 397, 398; inventory of, 415-25; appraisal, 429; statement of crops, 466.
Horner, Joseph P., counsel for Lottery Co., 1879, p. 998; 1008.
Houston, J. D., sheriff of N. O., 984.
Houston, W. J., N. O. judge, and the Agusti Case, 984-85.
Howard, Miss Annie T., had Howard Memorial Library erected to her father, 1025.
Howard, Chas. T., first pres. La. State Lottery Co., 971; sketch, 972-73; 975; accused of bribery, 976; rights of incorporation of Lottery Co. transferred to, 976; assurance of fairness, 977; law suit against, 982-83; 987, 990, 991; effort to secure favorable action on lottery in Washington, 992; alleged control of press, 993; reported approached by Nicholls for financial aid in overthrowing Packard, 997-98; control of *Democrat*, 1002; newspaper accounts of death of, 1013-14; improvements to court popular favor, 1025; 1102.
Howard, Frank T., erection of Confed. Memorial Building, 1025-26.
Howard Memorial Library, erection and endowment of, 1025.
Howe, W. W., resignation of Associate Justice of State Sup. Ct., 578.
Howell, J. D., La. midshipman, 483.
Howell, R. K., justice of State Sup. Ct., concurring in decision in favor of P. H. Morgan, 578.

Hoyt, D. W., sec.-supt. of Acadia Parish school board, 1175.
Hudspeth, G. W., district judge in St. Landry Parish, 1121.
Humphreys, J. B., suit against heirs of to secure money due Brown estate, 742-45.
Hunt, Carleton, orator on occasion of relaying of cornerstone of Clay monument, 779.
Hunt, Wm. H., principal orator for unveiling of Clay's statue, 774-75.
Hunter, Thos. T., Confed. naval officer, 481.

"INDEX TO SP. JUDICIAL RECORDS OF LA.," tr. by Laura L. Porteous, LXXIX, Feb. 1785, pp. 854-927.
"Irion Plantation," of Erwin, 354, 368-69, 380, 387, 388, 390, 391, 394, 397, 398; inventory of, 425-28; appraisal, 430; 432, 434, 436; statement of crops, 466.
Irwin, Jesse R., stated bribes made by Howard, 974; incorporator of La. Lottery Co., 975; 976.
"Ivanhoe Plantation," of Don Caffery, 784.

JACKSON, ANDREW, duel with Dickinson, 347-48, 397; 489, 495; enemy of Clay, 722, 728-29; pres. of U. S., 722-23; contest with Calhoun over nullification, 728; Clay's attack upon *in re* Seminole War, 733-34; 735; 736, 751; erection of statue in N. O., 764.
Jackson, S. T., agreed lottery question should be submitted to people, 1036-37.
Jamison, Irwin, Prog. League Com., 1062.
Janin, Albert C., ed. N. O. *Democrat*, Lottery Co.'s suit against for libel, 987.
Janssens, Archbishop Francis, opposed Lottery Co., 1070-71; 1191.
January, D. P., mayor of Crowley, 1126; 1171.
Jenkins, B. F., opposed lotteries, 1040.
Jennings, La., suit involving oil field handled by Caffery, 850; 1161, 1167, 1191, 1218, 1220.
Jewell, E. L., opponent of Pinchback for Legis., 1868, p. 535.
Johnson, Henry, La. senator, 733; against lotteries, 1826, p. 969.
Johnson, Isaac, gov. of La., 752; meeting in N. O. to aid in Irish potato famine, 755.
Johnson, Reverdy, lawyer in Gaines Case, 9; death of, 300; commissioner sent to N. O., 511.
Johnston, Dave C., tells story of bribery in getting Act. 25 of 1868 passed, 976; La. Lottery Co's attack on, 977.
Johnston, Dave P., La. man conducting lottery in Ohio, 1079.
Johnston, Gen'l Geo., aided in interesting out-of-state people in Anti-Lottery League, 1059.
Johnston, Josiah Stoddard, Clay's second in duel with Randolph, 727; reelected to U. S. Senate, 1831, pp. 735-36.
Johnston, Col. Wm. Preston, presided over Anti-Lottery meeting, 1060.
Johnston, Mrs. Wm. Preston, pres. Women's Anti-Lottery League, 1061.
Jonas, B. F., Chairman Com. of Finance, favored bill for lotteries for charity, 971; explanation of postponed lottery bill of 1867, pp. 971-72; 990.

KELLER, MISS MELBA, queen of rice festival, 1940, p. 1212.
Kellogg, Wm. Pitt, nominated by Radical Repub. for gov., 1872, pp. 553, 554; gubernatorial race, 563; appeal to att'y-gen'l of U. S. 565; 572, 575; inauguration of, 576; noted, 579, 580, 584, 588; faction of, elected Pinchback senator, 589; visit to mid-western states, 591; 593, 594, 596, 599, 778, 787; failed to sign Acts No. 9 and 10, p. 981; headed lottery Repub., 1092.
Kennard, J. H., suit of P. H. Morgan against for office of Associate Justice, 577-78.
Kennedy, J. M., against lottery bill, 1890, p. 1034; 1040.
Kerrish, W. T. J., Confed. naval engineer from La., 485.
Key, D. N., Postmaster Gen'l, declared Lottery Co. fraudulent, 1003; forbade payment of money orders or delivery of registered letters to Dauphin, 1007; sued by Dauphin, 1007-1008.
Kidd, E. E., chairman of Com. to investigate state debt, 786; submits bill calling for const. conv., 989; address to Prog. League, 1063.

Kierns, C. A., patented process for making paper from rice straw, 1168.
Kilbourne, Chas., opposed lotteries, 1040.
King, Fred, Anti-Lottery League Ex. Com., 1056.
Kruttschnitt, E. B., treasurer, Dem. Anti-Lottery St. Ex. Com., 1059; 1091, 1093.

LABUZAN, CHAS. A., Grand Marshal of funeral procession in N. O. honoring Clay, Webster, and Calhoun, 767.
Lafargue, A. D., Anti-Lottery cand. for supt. of ed., 1090; nominated Foster as Anti-Lotteryite cand. for gov., 1090.
Lafayette, La., 843; State Farmers' union meeting in, 1891, p. 1086; 1087, 1120; test case of, involving bonds issued against special tax for municipal improvement, 1146; 1153, 1183, 1212, 1218, 1220, 1221.
"Lafayette combine," agreement between Anti-Lotteryites and Farmers' Union, 1086-87
Lake Charles, La., political riot, 842; 843, 1120, 1130, 1145, 1163; rice mill, 1167; 1183, 1193; alkali works in, 1170; 1175, 1200, 1203, 1218.
Lanier, J. S., 1050; chairman St. Central Com., 1088, 1089, 1090.
Larue, Mrs. Anna, defied Butler, 513-14.
Laussat, Citizen, Fr. Rep. transferring La. to U. S., 329.
Lawton, P. S., approved Lottery Bill, 1036.
Layssard, Etienne Maraffret, militia commander at Rapides, 633, 645; at Ark., 647.
Lea., Charles E., resolution to investigate charges of bribery by Lottery Co., 989.
Leacock, Dr. W. T., Protestant minister banished by Butler, 501.
LeBlanc, Dudley, public service commissioner, ordered installation of new telephone system in Crowley, 1154.
Legendre, Jas., address to Prog. League, 1063.
Leonard, Albert, U. S. att'y, 1008; Lottery Repub. cand. for gov. of La., 1092.
Leonard, Judge John Ed., and Plaquemines Fraud, 724.
Leovy, Mrs. Henry J., vice-pres. Women's Anti-Lottery League, 1061.
Le Propagateur Catholique, suppressed by Butler, 500.
Letz, Paul, Crowley city engineer, 1153.
Levert, Augusta, 391, 473, 475; opposed lottery, 1043; pressure brought to bear on, 1047.
Levert, Madam Octave Walter, address in honor of Clay, 770.
Levy, Alphonse, pres. Southwest La. Land Co., 1123; 1171.
Lewis, J. H., Acadia Parish supt. of schools, 1178.
Liberal Repub. Movement, Warmoth allied with, 551; Conv. in Cincinnati, 551.
Lincoln, Abraham, ideas of reconstruction, 494, 495; attitude toward slavery, 511; Emancipation Proclamation, effect in N. O., 514-15, 520; hoped to reinstate La. in U. S., 522-23.
Longstreet, Jas., on Repub. Returning Board, 558; placed by Pinchback in command of militia, 569.
Loret, Joseph A., opinion on lottery question, 1040.
Lott, Hiram R., senator, 1058; temporary chairman Anti-Lottery Nominating Conv., 1090.
Lotteries, definition of, 966; early lotteries and their purposes, 966-68; objections to, 968; purposes in La., 969; opposition to in La., 969; legalized in La., 969; La. State Lottery Co., chartered, 969, 975; history of La. State Lottery Co., 969-1103; bill providing for other lotteries in La., 971-72; attempt to incorporate lottery Co. in opposition to La. Lottery Co., 980; denied use of mails, 991-92; attempt to incorporate other lotteries, 1004; early fathers favored, 1067; foreign lotteries, 1067-68; swindling schemes, 1068; condemned as evil, 1070; early laws against, 1073.
Lottery Bill of 1890, provided for submitting question to the people, 1033; arguments pro and con, 1033-35, 1036-41, 1042-43; gov.'s veto, 1043-44; attempt to override veto, 1044-45; gov.'s signature declared not necessary, 1045; analysis, 1045-46; struggles in Legis., 1046-49; primary demanded, 1050; in the courts, 1050-52.

Louisiana, early explorations and transfer of to the U. S., 329-42; description of agriculture, people, political districts, etc. after its transfer to U. S., 349-53; secession from Union, 487, 489-90; wealth of, 487-89; contribution to Confed., 491; conditions in during war, 491-93, 493-94; Cong. election of 1862, pp. 523-24; Fr. gift to Sp., 629; first bishop of, 713-14; ceded to Fr. by Sp., 715; conveyed to U. S., 715; record on admission of as state, 725-27; ceded to Sp., 1762, p. 935; retroceded to Fr., 1800, p. 935; history of the state lottery, 964-1117; fed'l aid for levee improvement, 1026-27, 1028; Hy. W. Allen's official report of conduct of Fed'l troops in Western part of, 1226-28.

Louisiana Irrigation & Mill Co., 1129.

"Louisiana Officers of the Confed. Navy," by Geo. T. Ness, Jr., 479-86.

Louisiana State Lottery Co., campaign against, 788-90; introduction, 964-65; chartered, 969, 975; Act No. 21 of 1866, p. 970; Acts No. 40 and 154, p. 971; bill providing for other lottery drawings in La., 1867, pp. 971-72; C. T. Howard first pres., 972; Act. No. 25 of 1868, provisions of, 974, 975; arguments against, 974-75; organization, 975-76; open for business, 976-77; attack on other lotteries on legal grounds, 977; absolved from city license by court decision, 978; scheme of early monthly drawings, 978-79; Beauregard and Early commissioners, 979; sentiments against, 979-80; attempt to incorporate other lottery in opposition to, 1874, p. 980; acts to prevent sale of foreign tickets in N. O., 980-81; attempts to repeal lottery acts, 981-82, 985; legal cases challenging methods of, 982-85; opposition to, 985-87; Beauregard and Early in defense of, 987; troubles in court, 987-88; agitation for const. conv., 1878, pp. 988-89; bills to repeal fail, 989, 991; investigation of charges of bribery, 989-91; fed'l interference, 991-92; arguments favoring, 992; arguments against, 993-94; Act. No. 44 of 1879, an attempt to abolish Co., 994-95, 997; Co. defends itself, 995-96; purported financial aid to Nicholls in overthrow of Packard, 997-98; Act 44 ruled unconstitutional, 998-99; const. conv. of 1879, Article 167, pp. 999-1001; obtained control of *Democrat*, 1001-1002; attempts to charter other companies, 1004-1005, 1006; attacks against, 1882-1890, pp. 1005-1007; victory in courts, 1007-10; suits against McClure, 1010-11; out-of-state attacks on, 1012-13; Forman answers attack, 1013; death of Howard, 1013-14; financial returns, 1014-15, 1020-21; description of drawings, 1016-20; daily drawings, 1021-24; methods of advertising through mails, 1024-25; courted popular favor through donations to charity and public enterprise, 1025-26; gives aid in floods of 1890, pp. 1027-29; other charities, 1029; offers of Morris for recharter of, 1030, 1032; Nicholls' warning against, 1030-32; Lottery Bill of 1890 to submit question to people, introduced, 1033; arguments pro and con, 1033-35, 1036-41, 1042-43; gov.'s veto, 1043-44; attempts to override veto, 1044-45; gov.'s signature declared unnecessary, 1045; analysis of bill, 1045-46; struggle in Legis., 1046-49; court decision forcing promulgation of Lottery Bill, 1050-52; the Anti-Lottery League, 1054-62; Women's Anti-Lottery League, 1061-62; Prog. League, 1062-63; campaign highlights, 1063-66; contributed money to Nicholls campaign, 1065-66; state finance, strongest motive in favor of, 1066-67; other arguments for, 1067-70; called moral evil, 1070; opposed by churchmen, 1070-71; opposed for too high profits, daily drawings, etc., 1071-72; Cong. Anti-Lottery Postal Bill, 1890, pp. 1072-77; attacks on Co., 1076-77; effects of Postal Bill, 1077-83; conducts business by express, 1077, 1080; Sup. Ct. rules postal law constitutional, 1081-82; Co. to abide by law, 1083; Cong. law to suppress lottery traffic through interstate commerce, 1083; law constitutional, 1084; Farmers' Union and Anti-Lottery League combine against, 1086-87; supporters name McEnery for gov., 1088; caucus of

faction supporting, 1089; ticket supporting, 1090; McEnery faction campaigns, 1091-92; Morris withdraws offer, 1093; efforts to unite party, 1093-94; bill fails to pass electorate, 1095; bill to prohibit sale of tickets after Dec. 1893, pp. 1096-97; final drawing, 1098; business transferred to Honduras, 1098-99; method of conducting business, 1099-1101; officers arrested and tried, 1101-1102; bibl., 1113-17.

Louisiana State Rice Milling Co., consolidation of mills, 1166, 1167; 1210, 1212.

Louisiana Supreme Court, case of Morris *vs.* Mason, 1050-52; approved bonds on special tax for municipal improvements, 1146.

Louisianian, Pinchback's newspaper, 539.

Lovell, Mansfield, Confed. gen'l at N. O., 487.

Lowell, C. L., postmaster, led opposition movement to Gov. Warmoth, 541.

Luckett, Philip M., incorporator of La. Lottery Co., 975.

Ludeling, J. T., Chief Justice, 1873, p. 576; judgment in favor of Morgan, 578.

Lynch, B. L., judge in disputed election of Pinchback to House, 587.

Lynch Board, Repub. Returning Board, 558.

Lyons, D. B., councilman of Crowley, 1126.

Lyons, E. W., sheriff of Acadia, 1127.

Lyons, J. L., Rep. of St. Landry Parish, introduced bill for creation of new parish, 1121.

Lyons, Lucien E., Prog. League com., 1062.

Lyons, R. B., assessor, Acadia Parish, 1127.

Lyons, Theodore H., treas., Prog. League, 1062.

MAISTRE, FATHER CLAUDE PASCAL, attempt to incite Negroes against whites, 502, 512.

Mamou Oil Field, 1169. *See also* Evangeline.

Manchac, Descoudreaux in command, 630; reported captured by Willing, 656; recaptured by British, 656, 657; John McGillivray in command, 658.

Manning, T. C., 1227; sketch, 1227-28.

Marquez, Frank, opposed lottery, 1040; 1056.

Marr, Rob't H., supports claims of McMillen for Senate, 592; judge denouncing Kellogg, 778.

Marshall, Thos. A., Jr., Sec., Prog. League, 1062.

Mason, L. F., Sec. of State, 1890, refused promulgation of Lottery Bill, 1050; sued by Morris, 1050-52; Lotteryite cand. for sec. of state, 1090.

Masons, Grand Lodge of N. O., honors Calhoun, Webster, Clay, 765; ceremonies for laying cornerstone of Clay's monument, 770; in charge of dedication and unveiling of Clay's statue, 774; La. Grand Lodge, 969; 1194, 1195.

Mathieson Alkali Works, in Lake Charles, 1170.

McCain, J. M., opposed lottery question, 1040.

McCaleb, E. Howard, on com. to supervise primary, 1094.

McCaleb, T. H., judge, spoke in memory of Calhoun, 769; oration on Clay, 770.

McCall, Miss Kate, corresponding sec., Women's Anti-Lottery League, 1061.

McCaskey, Benjamin P., boatswain in Confed. navy, 485.

McClure, A. K., ed. Philadelphia *Times*, Dauphin's libel suit against, 1010-11; incensed against Lottery Co., 1012.

McConnell, Jas., amended lottery bill to provdie revenue for disabled veterans, 970; opposed bill authorizing lotteries for charitable institutes, 971; McClure's counsel in N. O., 1011; attacked monopolistic features of lottery, 1055; address to Dem. Anti-Lottery St. Com., 1091.

McDuffie, H. E., Confed. naval officer, 484.

McEnery, John, nominated by "fusion" ticket for gov., 553-54; declared elected by DeFeriet Returning Board, 558; gubernatorial race, 563; pleadings to Grant, 568, 569; 572, 574, 575; inauguration of as gov., 575-76; 579, 580; Lottery Co. admits interference in election of, 1872, p. 996.

McEnery, S. D., 789, 790; senator from La., 1897, p. 818; voted for treay with Sp., 832-33; resolution of regarding Philippines, 833; supported Heard for gov. of La., 1900, p. 847; justice, concurred in opinion that gov.'s signature not necessary on bill proposing const. amendment, 1052; announced as cand. for gov. by Lotteryites, 1088, 1089, 1090, 1091; campaign, 1091-92; efforts to unite factions, 1093-94; campaign, 1094; election disputed, 1094-95.

McGinn, Wallace, Jr., postmaster of Crowley, 1156.

McGloin, Frank, introduced ordinance on lotteries and monopolies, 1879, p. 999; speaker at anti-lottery meeting, May, 1890, p. 1055; presiding Anti-Lottery League meeting, 1055; Ex. Com., Anti-Lottery League, 1056.

McKean, Ed., Ass't Paymaster, 480.

McManus, Hugh, Anti-Lottery League financial com., 1056.

McMillen, Jas. A., "A Rare Confed. La. State Document and Its History," 1226-28.

McMillen, Wm. L., Fusionist claimant for Senate, 579; elected U. S. senator by McEnery Legis., 590; right to seat in Senate referred to com. on Privileges & Elections, 592; no decision reached, 592; withdraws credentials, 600.

Meader, Herman, Anti-Lottery League financial com., 1056.

Mechanics' Institute, meeting in of Repub. Returning officers, 560, 564, 566; Legis. assembled at recognition by Fed'l gov't, 569, 573, 574, 575, 579; meeting in to devise means of erecting statue honoring Clay, 764.

Medlenka, J. G., sponsored developments of shipping facilities in Crowley, 1175.

Meeker, S. F., thought lotteries morally evil, 1039.

Mentz, E. B., Assistant Sec. of State, 582.

Mercer, Dr. W. H., helped pay mortgage on Clay's home, 721. Clay's reception at home of, 739; 749.

Merchant, W. B., N. O. postmaster, suit against, 1008-1009.

Mézières, Athanaze de, comdt. at Natchitoches, 1769, p. 630; instructions from O'Reilly, 633; 636; Osage raid on district of, 647; 657.

Miles Planting & Mfg. Co., of La., suit against gov't for bounty due, 817.

Miller, Henry C., attack on Lottery Co., 1055; address to Women's Anti-Lottery League, 1061.

Mills, Thos. B., skipper from La. on *Sampson*, 483.

Miró, Estevan, awarded promotion, 663; acting gov. of La., trial of rebels from Ark., 671; report of to Galvez concerning Ark. and de Villiers, 672; 673; orders Madame de Villiers released, 674; efforts to clear Miss. R. for Sp. trade, 677; deals with Chickasaw for peace, 678-79, 679-80; 681; reinforcements to Ark., 682; 683; became gov., 686; 687, 689; regarding sale of rum to Indians, 692, 693; issued order prohibiting, 694; Lopez's story to *in re* Indian brawl resulting from sale of rum, 696; 697; land grant policy, 698; 699; *in re* the repair of Ark. post, 699, 700, 701, 702, 703, 704; Cruzat's warning of Am. expedition, 705; invited immigration of Am., 706; sends squadron to Natchez, 706-707; orders Ark. lookout post abandoned, 708; end of rule in La., 1791, p. 708; 709, 712; 854-927, *passim.*

Mississippi River, 330, 331; discovery, 332; 333, 334, 336, 337, 338; free navigation of, 339; 340, 341, 348, 350, 351, 353, 355, 361, 363, 364, 374, 375, 377, 397, 428, 429, 481, 486, 487, 488, 489, 494, 522, 540, 629, 630, 631, 639, 640, 641, 642, 643, 644, 646, 647, 648; in control of Am., 661; floods of, 661-62; left bank of claimed for Sp., 622; 665, 676; Sp. meet no hostility, 677; 679, 683; Ga. claims land to, 699; Am. given right to navigate, 700, 712; 701; floods of, 702, 709; 706, 707, 710, 711, 715, 717, 724; Am. right to navigate, 734; 742; Eads' improvement of jetties, 841, 842; dredging of Southwest Pass, 842; bill for improving South Pass, 843; investigation of comparative merits of South Pass and Southwest Pass, 843-44; development of transportation on, 939-41; competition with railroads, 957; floods of 1890, pp. 1026, 1034, 1039; flood control, 1056; 1164, 1174.

Mississippi River Packet Co., Pinchback secured passage of act establishing, 540.
Mitchell, D. L., Assistant Sec., Anti-Lottery League of La., 1054-55.
Mitchell, Harry A., "The Developments of N. O. as a Wholesale Trading Center," 933-63.
Moise, J. C., Anti-Lottery delegate to Farmers' Union meeting, 1086; on com. to supervise primary, 1094.
Monroe, F. A., N. O. Sup. Ct. justice, 984; aid in organizing league in N. O., 1056; 1091; presentation of floral offering to Nicholls from Women's Anti-Lottery League, 1096.
Monroe, John T., mayor of N. O. during Civil War, 492; refusal to surrender, 493; attitude toward Butler, 497-98, 499; appeal to food stores to open, 505; gov't of called "thug rule," 508; denounces "woman order," 512; taken into military custody by Butler, 512.
Montegut, G., Lotteryite cand. for treas., 1090.
Montgomery, Geo. W., on lottery bill, 1042; pressure on to vote for lottery, 1047; compromise plan for voting on lottery bill, 1050.
Moore, Thos. O., gov. of La. *in re* secession, 489; preparation for war, 490-91; proclamation of suspending payment of metallic currency, 492; forbade interchange of goods with Union controled N. O., 506-507, 521; 508; suspended metallic money, 509; directed the fight of La. against the Fed'ls, 520; 774, 1227.
Morgan, J. M., La. midshipman, 483.
Morgan, P. H., suit against J. H. Kennard for office of Assoc. Justice, 577.
Morgan, S. C., in shooting affray with Pinchback, 536-537.
Morris, John A., pres. Lottery Co., Caffery's attack against, 788, 789; corporation rights of Lottery Co. transferred to, 976; suit against, 982-83; charges of bribery against, 990; 991, 997; offered increased license fee to secure recharter of Lottery Co., 1030; additional offer, 1032, 1034; letter to Legis. offering levee aid, 1036; 1040, 1041, 1042, 1045, 1046; favored over Newgass, 1049; suit against Sec. State Mason to force promulgation of Lottery Bill, 1050-52; 1054, 1055; aid to Nicholls' campaign, 1066; 1068, 1088; revoked offer, 1093, 1094; transfer of Co. to Honduras, 1099; 1102; letter of, withdrawing offer, 1110-13.
Morton, Oliver P., Ind. senator, investigation of La. politics, 1873, p. 580; champions admission of Pinchback to U. S. Senate, 592, 593-94; asks for recommitment, 594-95, 596; again defends Pinchback, 598, 599.
Morvant, François, trader of Natchitoches, 636, 652.
Mullen, Father Jas. Ignatius, defied Butler, 501.
Mumford, Wm. B., Butler refused to commute sentence, 505; hanging of, 518.
Murphy, John B., sheriff of St. Mary Parish, marriage of daughter to Caffery, 784.
Murray, Chas. H., incorporator of La. Lottery Co., 975; corporation rights transferred to, 976; suit against, 982-83.
Myer, H. C., judge, Pinchback witness, 587.

NATCHITOCHES, LA., 336, 541; Mézières in command, 630, 633; produce of, 635; 636, 637, 639, 644; 645; raided by Osage, 647; 650, 651, 652, 657; problem of preventing sale of rum to Indians, 691; 708; N. O. trade with, 953.
National Dem. Party, Caffery's part in the organization of, 803; refused to nominate ticket, 1900, p., 805.
Negroes, in the St. Legis., 1867, p. 533; Civil Rights Article giving equal rights on public conveyance, etc., 534.
Nelson, A. T., reasons for opposing lottery question, 1890, p. 1040.
Ness, Geo. T., Jr., "La. Officers of the Confed. Navy," 479-86.
New Delta, Anti-Lottery League newspaper, 788, 1058, 1059, 1077.
New Eng. Society of N. O., organization and activities, 739; Clay guest of honor of, 740; annual banquet, 1843, p. 747; fifth conv. and banquet, Clay guest of honor, 1846, pp. 751-54; 765.
Newgass, Benjamin, lottery offer, 1035-36; 1049.

New Orleans, La., Myra Clark Gaines' suit against, 176, 276-93; Gaines *vs.*, suit decided in favor of Mrs. Gaines, 315-17, 319-20, 321; 330, 331, 336, 337, 338, 340, 341, 342, 348, 350, 351, 361, 365, 366, 367, 371, 372, 374, 375, 378, 379, 380, 382, 386, 389, 390, 393, 395; surrender of, 1862, p. 487; population and weatlh of, 488; went secessionist, 490; conditions before surrender, 492-93; fall of, 494; 495; Butler's reception in, 496, 497; 498, 499; economic conditions improved by Butler, 505-10; Butler's attitude toward slaves, 511-12; Monroe taken into custody, and military gov't established in, 512-13; Butler "cracks down", 514-18; celebration of July 4, 1862, p. 519; conscription in, 519-20; 527; Pinchback's arrival in, 529; recruiting of men in, 529-30; 630, 635, 636, 638, 640, 642, 643, 644, 646, 647, 648, 649, 650, 651, 652, 655, 656, 657; shipments of goods from, 659; 665, 671, 672, 676, 677, 678, 682, 689, 690, 691, 693, 695, 697, 700, 701, 706, 711; statue of Clay, 717; 718, 721, 723, 724, 725; Clay's interests in, 732-33; his first visit, 734-35; second visit, 735-36; visit in 1842, pp. 736-47; Clay appears before Sup. Ct., 742-45; Clay Ball, 745-47; fourth visit, 747-50; fifth visit, 751-56; help to Irish in famine, 755; Clay's final visit, 756; 757; ball in honor of Taylor, 758-59; social activities of 1849, pp. 759-60; laying of cornerstone of Custom House, 760; reception of Polk, 761; mourns death of Clay, 762; mourns death of Webster, 763; formation of Clay Monument Assoc., 764-65; funeral procession in honor of Clay, Calhoun, Webster, 765-69; erection of statue to Clay, 769-75; 776; Butler's regime in, 777; Cotton Centennial Exposition, 1884, p. 777; 778; cornerstone of Clay Monument relaid in Lafayette Sq., 779; Univ. of La. in, 784; 843; development as a wholesale trading center, origin of, 933; trade monopolized by Western Co., 934; leading trade center of Miss. Valley, 935; Sp. restrictive policy *in re* trade in, 935, 936-37; lack of initiative in, 935; limited wholesale trade in before 1812, pp. 936-37; development of Miss. Valley affects trade in, 937-39; U. S. receives right of deposit in, 938; trade of affected by development of river transportation, 939-41; table showing value of down river shipments to, 939; Jefferson's prophecy for, 940; triangular trade, 941-44; two-way trade with Pittsburgh, 942-43; first city directory, 1822, pp. 943, 952; wholesale house in N. O., 1822, p. 943; value of produce received, 1830, 1860, p. 944; a world port, 944; results of failure to recognize importance of railroads, 944-46; wholesale merchants in prior to Civil War, 947-51; laws regulating auction sale, 948-49; comparison with N. Y., 949; specialties of Commission merchants, 949-50; table showing kinds of business in, 1844, p. 950; factorage system, 951; wholesale trading area of, 951-53; table showing, 952-53; competition with other trade centers, 954-57; table showing investment of in materials for trade territory of, 956; effect of Civil War on trade in, 957; effect of railroad development, 957-58; yellow fever adverse factor in trade of, 958; changes in after Civil War, 958-60; table showing trading areas and kinds of business, 1904, pp. 960-61; decline of wholesaler, 961-63; churches of benefited by lotteries, 969; lottery to reduce evils in, 970; 972, 973; demand for city license from Lottery Co. rejected, 978; sentiments against Lottery Co., 979, 980; attempt to establish lottery co. of, 980; acts to prevent sale of foreign lottery tickets in, 980-81; courts of busy handling cases of violation of lottery act, 984; citizens petition Washington for enforcement of law denying lotteries use of mails, 992; assessors of denied right to levy assessment against Lottery Co., 1009; McClure visits, 1011; crevasses near, 1026; Lottery Co. donates money to fight floods, 1027; 1050, 1056; headquarters Dem. Anti-Lottery St. Ex. Com., 1059; 1065; foreign lottery operating in, 1068; 1077, 1079, 1080; Dem. St. Central Com. meets in, 1088; 1089, 1091; meetings of

rival Dem. Central Com. in, 1093; efforts to eradicate lotteries, 1103; yellow fever epidemic, 1905, pp. 1135, 1136; 1145, 1163; held rice trust, 1164, 1165; 1199.
New Orleans Daily Crescent, suppressed by Butler, 500.
New Orleans Lottery Co., attempt to create, 980; 1004.
New Orleans National Bank, case against Merchant, 1008-1009; 1074.
New Orleans *vs.* Houston, withdrew granting of lottery charters from police power of state, 1010; 1030.
Newsom, H. C., 1036; opposed lottery question, 1039.
Nicholls, Francis T., became gov. of La., 1877, p. 605; 787, 985, 996; delay in signing Act No. 44, p. 997; accused of "bad faith" by Lottery Co. because of purported aid to by Co., 997-98; 1011; levee improvements, 1026; rejects Lottery Co. offer to aid in flood control, 1027; message of May 12, 1890, to Legis. warning against recharter of Lottery Co., 1030-32; vetoes Lottery Bill, 1890, pp. 1043-44; power of veto of bill passed by const. majority challenged, 1044, 1045; Legis. attack on, 1046-47; charge members of Legis. with bribery, 1047; 1050, 1056; Anti-Lottery League's resolution of confidence in, 1058; 1061, 1064, 1065; accused of accepting campaign money from Lottery Co., 1065-66; overtures to State Farmers' Union, 1086; 1092, 1094; final message to Legis., 1095-96; original name suggested for Acadia Parish, 1121.
Nixon, J. O., owner of *N. O. Daily Crescent*, 500; first assis. Grand Marshal of parade for unveiling of Clay statue, 774.
Nolte, Vincent, banker, importer, 941-42; Eng. dry goods a specialty, 950.
Norden, W. Van, Pres. La. Savings Bank, 547.
Norton, E. E., La. Repub. divulged secrets of election of Pinchback to U. S. Senate, 595.

O'Brien, Matthew, Confed. naval engineer from La., 484-85.
O'Brien, Wm. V., Catholic priest, certificate of marriage of Desgrange and Barbara m Orci, 61, 87, 90, 98, 143, 215, 224.
O'Connor, Thos., favored lottery bill of 1890, p. 1033; approved submission of lottery question to people, 1037.
Odd Fellows Hall, Fusionist assembly in, 574; 769, 997.
O'Donnell, Will I., approved submission of lottery question to people, 1037.
Ogden, F. N., supported claims of McMillen for Senate, 592.
Ogden, H. N., att'y-gen'l recognized by Fusionists, 567; *in re* enforcement of Act No. 44, p. 998.
Oil, discovery in Acadia, 1134; development of in Acadia, 1169-70.
One Hundred Great Years: The Story of the Times-Picayune from Its Founding to 1940, by Thos. E. Dabney, revd., 1229-31.
Orci, Barbara m, first wife of Desgrange, 61, 86-91, 92, 94, 97, 106, 153, 215, 220, 238, 257.
O'Reilly, Alexander, second Sp. gov. of La., 632; instructions concerning commerce, 633-34; 638, 645; placed tax on distilled liquors, 691; issued trading licenses in N. O., 691; 936; grants of land in present Acadia, 1119.
Orleans Parish, martial law under Butler, 499; 522, 561; new court in established by Pinchback, 1872, pp. 567-68; 724, 999, 1036, 1037, 1040, 1047, 1057, 1086.

Packard, S. B., leader of Custom House Party, 552; directs seizure of State House, 560; 561; adherents demanded that Pinchback relinquish claims to Senate, 1874, p. 597; opposed by Pinchback, 604; Lottery Co.'s part in overthrow of, 996, 997-98.
Palmer, Confed. fleet surgeon, 482.
Palmer, B. M., Methodist minister, sermon in defense of slavery, 511; speaker at Anti-Lottery meeting, 1060-61, 1070; address to Women's League, 1061-62; address to Dem. Anti-Lottery St. Com., 1091.
Pardee, Don A., judge Fed'l Circuit Court, decision in case of Merchant *vs.* N. O. Nat'l Bank, 1009.
Parker, C. Harrison, attack on Lottery Co., 1055; Executive Com., Anti-Lottery League, 1056; 1091.
Parkerson, W. S., 778; address to Dem. Anti-Lottery St. Com., 1091.

Parlange, Chas., 789, 1056; first Anti-Lottery meeting held in office of, 1054; on League Ex. Com., 1056; chairman, Dem. Anti-Lottery St. Ex. Com., 1059; chief author Anti-Lottery Postal Bill, 1075; nominated cand. for lt.-gov., 1090; address to Dem. Anti-Lottery St. Com., 1091, 1093.

Patterson, Chas., suit against Myra C. Gaines decided against, 205-10, 211.

People's Party, named Tannehill cand. for gov. in La., 1892, p. 1092.

Perché, Napoleon Joseph, priest imprisoned by Butler, 500.

Perrin, Henri W., of Confed. navy, prisoner, 482.

Pery, Judge R. S., of Iberia, Anti-Lottery delegate to Farmers' Union meet, 1086.

Phillips, Eugene, La. midshipman, 483.

Pickett, A. B., installed first telephones in Crowley, 1153.

Pickett, John A., Anti-Lottery cand. for treas., 1090.

Pinchback, P. B. S., birth and parentage, 527-28; ed. and early life, 528; arrival in N. O., 529; in the Union Army, 529-30; applies for commission and is denied, 530-31; goes to Washington, 531; returns to La., 531; organized Fourth Ward Repub. Club in N. O., 532; a delegate to Repub. St. Conv., 532; member Central Ex. Com., 532; declines position of Insp. of Customs, 532; delegate to Const. Conv., 1867-1868, pp. 532-35; author of Civil Rights Article of const., 534; becomes senator in contested election, 535-36; delegate to Nat'l Repub. Conv., 537-38; civil rights legis., 538; declined offer of position of Register of Land Office in N. O., 538; forms factorage concern, 538-39; responsible for passage of election law of 1870, pp. 539-40; other work in the Senate, 1871, pp. 540-41; cand. for U. S. Senate, 1871, p. 542; shared in Legis. plundering, 1871, pp. 543-44; joins Warmoth faction, 544-45; named lt.-gov., 546-48; election confirmed, 550; fed'l investigation of, 550-51; unites with Customhouse Party, 551-53; cand. for Cong., 554; railroad race with Warmoth, 554-57; election of Nov. 1872, pp. 557-59; declined organization of Legis., 1872, p. 560; made acting gov., pending trial of Warmoth, 561; authority questioned, 561-63; attempt to get fed'l support, 563; struggle with Warmoth for authority, 563; message to gen'l assembly, Dec. 10, 1872, pp. 563-64; appeal to Grant, 564-66; legis. of, 566-68; given fed'l recognition, 568-69; conflict of milita and city police, 569-70; legis. of, 570-71; appointments of, 571; threat against Fusion Legis., 572-74; dissension in Repub. ranks, 574-75; farewell address, 576-77; St. Sup. Ct. decision on legality of gov't of, 577-78; investigation of La. affairs by U. S. Senate, 579-80; Repub. Congressman-at-large, 1782, pp. 581-82; debate in House as to right to seat in, 582-83; referred to Com. of Elections, 583-85; speech to House of Rep., 585-86; majority report of Com. of elections adopted, excluding Pinchback from House, 586; gives testimony, 587-88; disputed election again referred to com., 588-89; defeated, 589; concurrent contest for recog. by Senate, 589; elected U. S. Senate by Kellog faction, 589; credentials presented to Senate, 589-90; La. commissioner to Vienna Exposition, 1873, p. 590; trip to mid-west, 591; right to seat in Senate referred to Com. on Privileges & Elections, 592; Morton champions admission of, 592; debates *in re*, 593; case postponed, 594; election reaffirmed by Kellogg Legis., 594; consideration of case resumed, 594; motion for recommitment, 594-96; case tabled, 597; attempt to bolster prestige in La., 597; reelected U. S. Senator, 1875, p. 597; case referred to com., 598; majority report in favor of, 598; senatorial debate, 598-99; case tabled, 599; further debate, 599; case again postponed, 600; consideration resumed, 601; claim rejected, 602; given monetary compensation, 602-603; delegate to Repub. Nat'l Conv., 1876, p. 604; chairman St. Ex. Com., 604; opposes Packard, 604; recognizes Nicholls gov't, 605; holds Fed'l offices, 605; delegate to Repub. Nat'l Conv., 605; supports measure for colored university,

606; member Board of Trustees of Southern U., 606; passed bar exam., 606; private life, 606; leaves La., 606-607; death and burial in N. O., 607; estimate, 607; bibl., 607-12.
Pipes, D. W., introduced bill regarding Newgass Lottery offer, 1036.
Pitou (Pitot), James, judge of Ct. of Probates, N. O., 23, 48, 66, 67, 69, 70, 72, 73, 75, 76, 119, 173.
Place, F. L., La. midshipman, 483.
"Plantation Experience of Joseph and Lavinia Erwin, 1807-1836," by Alice Pemble White, 343-78.
"Plaquemines Fraud," lost Clay the electoral vote of La., 1844, p. 723.
"Political Career of Pinckney Benton Stewart Pinchback," by Agnes Smith Grosz, 527-612.
"Political Career of Senator Donelson Caffery," by Lucile Roy Caffery, 783-853.
Pollock, Oliver, commercial agent in N. O., 643; 650, 651, 652, 656; supplies for Willing, 657; 659; letter to Patrick Henry, 660; led army of Sp. subjects against British, 661; 667, 668, 938.
Porteous, Laura L., "Index to the Sp. Judicial Records of La.," LXXIX, Feb., 1785, pp. 854-927.
Porter, Alexander, judge, host of Clay, 737; named to U. S. Senate, 741; death of, 1844, p. 748.
Posey, Lloyd, approved Lottery Bill, 1043; proposed voting in hotel to secure vote of sick senator, 1044-45.
Poydras, Julien, presented petition to House of Rep. asking for admission of Ter. of Orleans as state, 726.
Prairie Hayes, La., bid for county seat of Acadia, 1122, 1125.
Pratt, Julius A., Confed. naval officer, 484, 1192.
Prentiss, Sergent S., address to Whig Conv. in N. O., 1844, p. 749; 750, 755.
Preston, Isaac T., 740; executor of Brown estate, 742.
Preval, Gallien, N. O. justice of the peace, certificate of death of Clark, 118-19.
Price, Andrew, defended morality of Louisiana, 1076.
Prichard, Walter, Introduction to "Gaines Case," 5-8; "Index to the Sp. Judicial Records of La.," (cont'd), 854-927; revs. Dabney, Thos. E., *One Hundred Great Years: The Story of the Times-Picayune from Its Founding to 1940*, pp. 1229-31.
Priestly, Orville E., ed. *Signal*, 1188.
Progressive League, pro-lottery party, organization, 1062; first meeting, 1062-63; later meeting, 1063; campaign highlights, 1063-65; 1086.
Provosty, Oliver O., pressure on to vote for lottery, 1047.

RADER, PERRY SCOTT, "The Romance of Am. Courts. Gaines *vs.* N. O.," 5-322; sketch of, 6-7.
Radical Republicans, Custom House group, 552; nominated Kellogg, 553; united with Regulars, 553.
Randolph, Frank, ed. *Daily Signal*, 1187.
Rapier, John L., officer of Confed. Marine Corps from La., 485-86; case involving violations of Anti-Lottery Postal Law, 1082.
Ray, Henry W., Confed. naval officer, 484.
Ray, R. R., introduced bill to repeal lottery acts, 982.
Rayne, La., 1119, 1120, 1121, 1122; bid for parish seat of Acadia, 1122, 1125; 1134, 1155, 1162, 1164, 1167; bank of merged with that of Crowley, 1171; 1191, 1194, 1199, 1205, 1211, 1218, 1220, 1221.
Rayne Board of Health, fight against yellow fever, 1136.
Rayne Sentinel, feud with *Signal*, 1185-86.
Rayne Signal, founded, 1184; sold to Duson, 1184; favored division of St. Landry and Rayne as county seat of new parish, 1120, 1185; moved to Crowley, 1123, 1185.
Real Estate Owners' and Taxpayers' Union of N. O., advocated const. conv., 1878, p. 988.
Relf, Richard, 7; partner of Clark, 19; finds and probates will of Clark, 20, 21, 22, 23; produces letter of Desgrange to Clark, 26; 30, 31, 32, 33, 45; opposed probate of will, 49-50; 56, 64, 65; charge against, 63, 69-70, 73, 75-76; testimony concerning, 81, 117, 118-20; petition against, 126, 127; 128, 131, 134, 141; petition against, 173; defendant in Myra's

bill in equity in Circuit Ct. of U. S., 180-83; charges against, 184-85; filed demurrer, 189; 206, 209; opinion in favor of, 211-41; 246, 247, 249, 250, 251, 277, 278, 289, 290 291; illegal sales of Clark estate, 304-307, 308, 309, 310, 311, 312, 315.

Republican Party, gubernatorial campaign in La., 1872, pp. 554, 556, 558; votes to impeach Warmoth, and Pinchback becomes gov., 560-61, 562; 563, 565, 566; 568; achieved Fed'l recognition in La., 568-69; 571; dissension in, 574-75; inauguration of Kellogg, 576; 577, 578; Pinchback cand. for U. S. Cong., 581, 582, 587; contest to seat Pinchback, 590, 593, 595, 597, 601, 602, 604, 605; Pinchback delegate to St. conv., 1867, p. 732; election for state senate, 1868, p. 535; Pinchback delegate to Nat'l, 537-38; split in ranks of, 538, 540, 541, 542, 545; conv., 1872, pp. 551, 552; endorsed Pinchback, 552-53; 785, 797, 804; *in re* tariff, 806-21, *passim*; blamed for La. Lottery Co., 1013; and the La. gubernatorial election of 1892, p. 1087; 1092; split over lottery question, 1092; 1121.

Returning Board, in election of 1872, pp. 557-59.

Rice, an early export of N. O., 938; 1119; importance of in growth of Crowley, 1134; Crowley the "Rice City of Am.," 1157; am't produced in Acadia, 1157; history of in Acadia, 1157; system of irrigation, 1157-60; other improvements, 1160; new varieties, 1161-62; work of Crowley Rice Experiment Station, 1161, 1162; Rice Assoc. of Am. organized in Crowley, 1162; Nat'l Rice Festival, 1162; Fed'l-State Grading Office, 1162; growth of rice mills in southwest La., 1164-67; trade names of, 1167; mills in Crowley, 1167; festival, 1208-14.

"Rice City of Am.," *see* Crowley.

Rice Irrigation & Improvement Assoc., 1159.

Richardson, Jas. S., vice-pres. Prog. League, 1062.

Richardson, Mrs. T. L., vice-pres. Women's Anti-Lottery League, 1061.

Richoux, A., *et als.*, sale of Havana lottery tickets prohibited, 977.

Rightor, Nicholas H., N. O. Sup. Ct. Justice, 984.

Roberts, Percy S., speaker at Prog. League meeting, 1063.

Robinson, Wm., carpenter in Confed. navy, 485.

Rogers, Walter H., N. O. Sup. Ct. Justice, 984.; att'y-gen'l, counsel for Mason, 1051.

"Romance of Am. Courts. Gaines *vs.* N. O.," by Perry Scott Rader, 5-322.

Roselius, Christian, 740; oration on Webster, 769.

Rousseau, Lawrence, officer of the Confed. Navy, 479-80, 708, 710, 711.

Rudrow, E. V., councilman of Crowley, 1131.

ST. AMANT, A. JOSEPH, rep., arrested for bribery, 1047-48.

St. Charles Hotel, Butler forces way into, 497; 513, 737, 747, 748; New Eng. Soc. of N. O. has banquet in, 751-54; meeting of Dem. St. Central Com., 1091.

San Gabriel de Manchac, built by Sp., 630; 631; regarrisoned, 1775, p. 644; 661.

St. Louis Hotel, 740; Clay Ball at, 745-47; Clay's reception, 749-50; 771, 997.

St. Mary Parish, 365, 522; Donelson Caffery a sugar planter in, 783; Caffery a parish judge of, 783; Murphy sheriff, 784; Sypher, state senator from, 785; 790, 821, 843, 980, 1040, 1041.

Sambola, A., ousted as senator, 536; amendment to bill providing for other lotteries in La. providing license is paid and bond given, 971; Agusti counsel, 984.

Sansum, O. B., address to Prog. League, 1063.

Schenck, Chas. H., on lottery bill, 1042.

Schlicher, R. E., pres. of Rice Festival, 1209.

Schneider, Leonard, proposed N. O. Lottery Co. of State of La., 1004.

Scott, Luther C., publisher of *Signal*, 1186; buys *Signal*, 1186-87; sells *Signal*, 1187.

Scott, W. E., councilman of Crowley, 1147.

Seip, Frederick, opposed lottery bill, 1043.

Semmes, Thos. J., counsel for Lottery Co., 1879, p. 998; 1008; counsel for Morris, 1051; 1082.
Sessums, Davis, Episcopal bishop of La., vice-pres. Anti-Lottery meeting, 1060; 1070.
Shakespeare, Joseph A., mayor of N. O. accepts Lottery Co. offer of aid, 1027-28.
Shattuck, S. O., introduced bill to let people decide on Lottery question, 1033; 1046.
Shattuck's Bill, also Lottery Bill or House Bill No. 214, p. 1045, 1050, 1057.
Shepley, Geo. F., military comdt. in N. O., 506, 508; became acting mayor of N. O., 512-13; 523.
Sherburne, H. N., district att'y, counsel for Mason, 1051.
Sheridan, Geo. A., Fusionist claimant to Cong., 1872, pp. 581-82; debate in Cong. regarding claim to seat, 583-89; 595.
Shields, Bernard C., 779; favored bill of 1890, p. 1033; motion in House that Lottery Bill be sent to Sec. of State Mason for promulgation without gov.'s signature, 1045; address to Prog. League, 1063.
Shreveport, La., population, 1860, p. 488; capital of La., 520; 541; relief from Lottery Co. in Red R. flood, 1028; 1061; capital of La., 1226; Hy. W. Allen's official report of fed'l troops in Western La., 1226-28.
Signal, campaign for electric and water works for Crowley, 1145-46; advocate of improved fire dept., 1149; urged farmers to support local milling co., 1164-65; moved from Rayne to Crowley, 1886, p. 1185; Burkdoll, editor, 1185-86; advertising important function, 1186; becomes daily, 1186-87.
Simmons, T. E., corporation rights of Lottery Co. transferred to, 976; suit against, 982-83.
Simms, Richard, on the lottery question, 1042.
Slidell, John, home of seized by Butler, 515; leader of Democrats responsible for "Plaquemines Fraud," 723.
Smith, Herman S., gunner on the *Tennessee*, 482.
Smith, J. Fisher, senator, illness of prevents majority to override veto in Senate, 1044; charged with being bribed, 1047.
Smith, Capt. J. Pinckney, warrant against for violating postal law, 1079.
Smith, Wm. B., ass't paymaster in Confed. navy, 485.
Soniat, Chas. T., on lottery bill, 1042.
Soulé, Pierre, threatens Butler, 498; 740.
Sour, L. J., disputed election, 988; 989.
Sour Lake, oil field, 1169.
Southern University, established with support of Pinchback, 606.
Southwest La. Land Co., laid out Crowley, 1123; 1125, 1126; donation for school, 1176; 1185.
Southwest La. Trades School, 1183-84.
Sparks, G. W., La. midshipman, 483.
Spraggins, Samuel M., 370, 376, 384; executor of Erwin's will, 399, 400.
Stafford, S. H., in charge of recruiting under Butler, 529.
Stallings, J. M., voted to let people decide lottery question, 1037.
"State ex rel. Morris *vs.* Mason," 1050-52.
State Farmers' Union, in conv. at Baton Rouge, 1890, p. 1057, 1058, 1086; alliance with Anti-Lottery League, 1058; annual meeting in Lafayette, 1891, p. 1086; combine with Anti-Lotteryites, 1086-87; discord in, 1087; combine denounced by, 1087.
State Odd Fellows Orphans Home, 1196.
Stauffer, I. H., Jr., treas., Anti-Lottery League of La., 1054.
Steele, O. B., Lotteryite cand. for auditor, 1090.
Steinriede, Joseph, Confed. naval surgeon, 486.
Steward, J. T., councilman of Crowley, 1126.
Stith, Gerard D., mayor of N. O., 774.
Stone, Henry, Confed. naval surgeon, 486.
Stone *vs.* Mississippi, 1030.
Straight University, Pinchback studies law in, 606.
Strickland, Milton A., Circuit Judge, House resolution to investigate arrest of St. Amant, 1048.
Sugar, industry in La., need for slaves, 377-78, 391, 392; in 1860, p. 488; after Civil War, 784-85; and tariff, 805-21; early export of

N. O., 938, 949; "factors" in N. O., 951; 351-52; production of, 363; on Erwin estate, 389, 390.
Sugar Planters Assoc., meeting in N. O., 1894, p. 809.
Supreme Ct. of La., 18; orders Clark's will of 1813 probated, 243, 244, 245, 277, 294-95; suit in to revoke will, pp. 297-99; memorial exercises for Clay, 762.
Sutherlin, E. W., Lotteryite cand. for att'y-gen'l, 1090.
Sutton, Isaac, Negro senator defeated Caffery, 785.
Swain, E. A., La. midshipman, 483.
Sypher, J. H., rep. from 1st. district of La., 582, 583; delivers harangue to Cong. on political situation in La., 585; senator from St. Mary, sued Caffery, 785.

TALIAFERRO, J. G., defeated by Warmoth for gov., 1868, p. 535; Assoc. Justice administers oath of office to acting gov. Pinchback, 561; concurs in decision in favor of P. H. Morgan, 578.
Tannehill, R. L., People's Party cand. for gov., 1892, p. 1092.
Tattnall, Commodore of Confed. navy, 483.
Taylor, Maj. Gen'l Richard, reported Confed. authority had ceased in La., 1862, p. 520.
Taylor, Zachary, 521; Whig pres. of U. S., 725; death of, 725; 755; nominated for pres., 757; ball in honor of, 758-59.
Tebault, Dr. C. H., pres. Real Estate Owners' and Taxpayers' Union of N. O., 988.
Tepetate Field, oil field, 1170.
Times-Picayune, book by Dabney on, revd., 1229-31.
Tissot, A. L., N. O. Sup. Ct. Justice, 984.
Toler, J. B., lumberman and councilman of Crowley, 1131.
Toler, T. J., pres. First Nat'l Bank of Crowley, 1171.
Tracy, ass't to Grand Marshall in procession in N. O. honoring Clay, Webster, and Calhoun, 767.
Trade, N. O. a center of, 933-34; monopolized by Western Co., 934; N. O. center of Miss. Valley, 934-35; Sp. control restricts in N. O., 935, 936-37; contraband trade, 936; limited wholesaling before 1812 in N. O., 936-37; development of in Miss. Valley, 937-39; effect in N. O. of development of river transportation, 939-41; triangular trade, 941-44; effect of railroads on N. O. trade, 944-46; wholesale traders in, 947-48; auction sales, 948-49; N. O. commission merchants' specialties, 949-50; kinds of business in N. O., 1844, p. 950; part of "factor," 951; wholesale trading of N. O., 951-53; N. O. in competition with other centers of, 954-57; in N. O. after Civil War, 957-60; by 1900, pp. 960-61; decline of wholesaler, 961-63.
"Trailways to the Momentous Transfer," by Isaac Joslin Cox, 329-42.
Turner Hall Conv., Pinchback pres. of, 545; 551.
Turner Hall Republicans, 545, 551.
Twiggs, Gen'l D. E., home of seized by Butler, 515.

ULLOA, ANTOINE DE, Sp. gov., 1766, p. 632; interest in Ark. Post, 637; attempt to supply religious guidance for La., 638; issued trading licenses in N. O., 691; system of land grants under, 698; salaries of churchmen, 714; trade restrictions, 935.
Union Assoc. of N. O., citizen's organization in conquered N. O., 518, 519, 522.
U. S. Circuit Court, and Gaines Cases, 9-320, *passim;* Eastern La. District cases involving use of mail by Lottery Co., 1008-1009.
U. S. Supreme Court, and Gaines Cases, 8-320, *passim;* suit of Dauphin *vs.* Key, 1007-1008; upheld La. Sup. Ct. in declaring N. O. assessors could not levy taxes on Lottery Co., 1009; Dauphin *vs.* McClure, for libel, 1010-11; ruled Cong. could designate what may be carried in mails, 1081-82; ruled Cong. could regulate Interstate Commerce, 1084.
Unzaga y Amésaga, Luis de, gov. of La., 637, 640-41; 643; has San Gabriel de Manchac regarrisoned, 644; 645, 648; 669; issued trading licenses in N. O., 691.

VANCE, JOHN C., Anti-Lottery delegate to Farmers' Union meeting, 1086.

Vance, Wm. W., suggested amendments to lottery bill of 1890, p. 1042.

Vaughan, H. L., La. midshipman, of Confed., 481, 483.

Villere, Col. C. J., commissioner of Honduras Lottery Co., 1099.

Vincent, Col. W. G., pres. Anti-Lottery League of La., 1054, 1055, 1057, 1091.

WADE, THOS. M., supported lottery bill, 1037.

Walton, Joseph B., led parade for unveiling of statue of Clay, 774.

Ware, Jas. A., bill to suppress lotteries, 1894, p. 1097.

Warmoth, H. C., became gov. of La., 1868, p. 535; friend of Pinchback, 537; favored election bill of 1870, pp. 539-40; opposition to, 541-42; opposed Pinchback as U. S. Senator, 1871, p. 542; calls conv. at Turner Hall, 544-45; impeachment advocated, 546; calls special session of Senate to select lt.-gov., 546-48; organization of Legis., 1872, pp. 548-50; split with Pinchback, 551-54; railroad race with Pinchback, 554-57; election of 1872, pp. 557-59; call for extra session of Legis., 1872, p. 559; vote to impeach, 560; denounced Pinchback's right to governorship, 561-62; struggle for authority, 563; appeal to Grant, 564-66; plan to reconvene Fusionist Legis., 572; supports Sheridan for Cong., 582, 583; 588, 595; supported by Pinchback for gov., 604; denounced Caffery, 809, 811, 816; allowed Lottery Co. Bill to become law without his signature, 974; 995; headed Anti-Lottery Republicans, 1092.

Watkins, Lynn B., judge, opinion in case of Morris *vs.* Mason, 1051-52.

Wayne, Justice James Moore, opinion in case regarding suit for divorce or annulment of marriage of Z. Carriere and Desgrange, 110-14; opinion in Patterson Case, 208-10; dissenting opinion in case of Gaines *vs.* Relf, Chew, and others, 213, 226-32, 233, 235-41; writes majority opinion in case of Gaines *vs.* Hennen, 243-74; 276.

Webb, H. C., physician, councilman of Crowley, 1131.

Webster, Daniel, and Gaines Case, 9-10; 718; death of, 763; N. O. honors jointly with Clay and Calhoun, 763-64, 765-69.

Weitzel, Godfrey, U. S. gen'l, captured sugar region of La., 522.

Wells, H. F., speaker at Anti-Lottery meeting, 1055.

Wells, H. P., against lottery bill of 1890, p. 1034; opposed re-chartering of Lottery Co., 1047.

West, Joseph R., Warmoth's cand. for U. S. Senate against Pinchback, 542; presents certificate of Pinchback to Senate, 589, 594; called for postponement of vote in Pinchback case, 599; presents petition of McMillen for withdrawal of credentials, 600; 601.

West Fla., becomes Sp. possession, 338; plans of Galvez to capture, 663; surrender of, 666; 670.

Wharton, Jack, com. as sec. of state in order to serve on Returning Board, 557.

Whig Party, Clay a leader of, 723; and the Plaquemines Fraud in La., 724; Z. Taylor nominated by, 725; 741, 745, 748; conv., 1844, p. 749; 750.

White, Alice Pemble, "The Plantation Experiences of Joseph and Lavinia Erwin, 1807-1836," pp. 343-78.

White, Edward D., firm champion of sugar planters and tariff, 806; elevated to Sup. Ct., 806; speech at Anti-Lottery meeting, 1890, pp. 1055-56; address at reception for Anti-Lottery legislators, 1056; address at Anti-Lottery Conv., 1057; League's resolution of confidence in, 1058; charges against, 1065.

Whitney, Wm. W., marriage to Myra Clark, 47; proceedings to probate will of Clark, 48-51; death of, 51; 72, 74, 75, 78, 81, 84; appeal to have Clark's will of 1813 probated, 180; death of, 182.

Wickliffe, G. M., Pinchback's clash with, 533.

Wickliffe, John C., 778; address at reception honoring Anti-Lottery legislators, 1056; addressed Anti-Lottery League Conv., 1057; resolution of confidence in Nicholls & White, 1058; sec. Dem. Anti-Lottery St. Ex. Com., 1059; address to Dem. Anti-Lottery St. Com., 1091.

Wickliffe, R. C., Lotteryite cand. for lt.-gov., 1090.
Wilder, F. F., made affidavit of bribery by Howard, 974; incorporator La. Lottery, 975; commissioner of drawing, 977.
Wilkinson, Dr. J. B., testimony on illegality of Plaquemines vote, 724.
Wilkinson, T. S., 1062; defended Louisianians, 1076-77; pres. Dem. Anti-Lottery St. Conv., 1090; address to Dem. Anti-Lottery St. Com., 1091; Foster's letter to, 1093; 1096.
Williams, J. A., first full-time postmaster of Crowley, 1155.
Wilson, Joseph L., paymaster clerk, 482.
Women's Anti-Lottery League, formation of and officers, 1061; public meeting, 1061-62; functions performed by, 1062; floral offering to Foster, 1096; resolutions to Foster, 1113.
Wood, Benjamin, suit against Howard, 982-83.
Wren, B. C., introduced bill which provided for revenue by lottery, 974.
Wren, G. L. P., opposed lottery question, 1039.
Wright, Edith, first rice queen, 1223.
Wright, Sol., king of rice, 1927, p. 1223; "Burbank of the rice industry," 1161.
Wyly, W. G., justice, gave opinion against P. H. Morgan, 578.

YELLOW FEVER, epidemic in N. O. and fight against in Crowley, 1135-37.
Yllar, Maria, testimony of in Desgrange trial, 94-95; 220
Young, Geo. W., sec., Anti-Lottery League of La., 1054; work in organizing League, 1056.
Young, John S., com. to supervise primary, 1094.

ZACHARIE, F. C., 1091; on com. to supervise primary, 1094.